

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS. SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT

Day 13 - Trial with Jury
Before the Honorable Beverly Cannone

Paula M. Mills
Retired Certified Court Reporter
and Court Transcriptionist

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P R O C E E D I N G SMay 8, 2024

(Court in session at 9:07 a.m.)

(Defendant present. Jury present.)

THE CLERK: Your Honor, 22-117, the Commonwealth versus Karen Read. Would kindly counsel identify themselves, please?

MR. LALLY: Adam Lally, for the Commonwealth. Good morning, Your Honor.

THE COURT: Good morning, Mr. Lally.

MS. MC LAUGHLIN: Good morning, Your Honor. Laura McLaughlin, for the Commonwealth.

THE COURT: Good morning, Ms. McLaughlin.

MR. JACKSON: Good morning, Your Honor. Alan Jackson, for Ms. Read.

THE COURT: Good morning, Mr. Jackson.

MS. LITTLE: Good morning, Your Honor. Elizabeth Little, also for Ms. Read.

THE COURT: Good morning, Ms. Little.

MR. YANNETTI: Good morning, Your Honor. David Yannetti, for Karen Read.

THE COURT: Good morning, Mr. Yannetti. Good morning, Ms. Read. Good morning, jurors.

This is better. This is a better start. I appreciate everybody being ready to start promptly

1 today.

2 I do have those three questions to ask you.
3 Was everyone able to follow my instructions and
4 refrain from discussing this case with anyone since
5 we left yesterday?

6 THE COURT: Everyone said "yes" or nodded
7 affirmatively.

8 Were you also able to follow the instruction
9 to refrain from doing any independent research or
10 investigation into this case?

11 THE COURT: Everyone said "yes" or nodded
12 affirmatively.

13 Did anyone happen to see, hear or read
14 anything about this case since we left yesterday?

15 THE COURT: Everyone said "no" or shook their
16 heads.

17 Okay. Thank you very much.

18 Would you bring Lieutenant Rae in, please?
19 (Whereupon, the witness was sworn.)

20 THE COURT: Good morning.

21 THE WITNESS: Good morning.

22 THE COURT: Whenever you're ready, Mr. Lally.

23 MR. LALLY: Thank you, Your Honor.

24 Whereupon,

25 CHARLES RAE, Resuming

1 having been previously sworn, continued to be examined
2 and testified as follows:

3 CONTINUED DIRECT EXAMINATION

4 BY MR. LALLY:

5 Q Good morning, sir.

6 A Good morning, sir.

7 Q Picking up where we left off yesterday
8 afternoon, Lieutenant --

9 MR. LALLY: Ms. Gilman, if I could have
10 Exhibit 41 back up on the screen?

11 BY MR. LALLY:

12 Q And, Lieutenant, so we're about two hours, 10
13 minutes and 58 seconds into this particular cruiser
14 video. With respect to this video, if you could just
15 remind the jury where we are and what we're looking at
16 here?

17 A This is One Meadows Ave, Canton, Mass,
18 John O'Keefe's residence.

19 MR. LALLY: And, Ms. Gilman, if you could
20 play this for me?

21 (Whereupon, the video was played.)

22 BY MR. LALLY:

23 Q Now, Lieutenant Rae, while this is up on the
24 screen, if I could ask you to -- you've viewed this
25 video since this date of January 29th, 2022; correct?

1 A Yes.

2 Q And, using the laser pointer in front of you,
3 if you could direct the jury's attention to what kind
4 of thing you noted in regard to the rear area of the
5 vehicle in front of your cruiser.

6 A This vehicle right here is Ms. Read's vehicle.
7 I believe that vehicle there is Mr. O'Keefe's vehicle.
8 And I didn't -- although I didn't know it at the time
9 but I have since --

10 MR. YANNETTI: Objection. Move to strike.

11 THE COURT: So let him finish his --

12 You didn't know at the time but you have since
13 what?

14 THE WITNESS: I have since reviewed this video
15 and I can tell that there is a --

16 THE COURT: Okay. The objection is sustained.

17 THE WITNESS: Continue?

18 BY MR. LALLY:

19 Q Now, during the course of --

20 THE COURT: No. He's going to ask the
21 question differently.

22 BY MR. LALLY:

23 Q During the course of your well-being check,
24 where is it around the residence that you went?

25 A We initially went up to one of the front

1 doors. I believe it was the one on the right. And we
2 rang the doorbell, knocked on the door, and was seeing
3 if we could raise anybody, get any response.

4 Q And, during the time that you were there, were
5 you able to raise anybody and get any response?

6 A No, sir.

7 Q And at some point subsequent to this, what, if
8 anything, did you learn as to the whereabouts of the
9 children at the time that you were at the residence at
10 8:23, approximately 8:00?

11 A After we left and we weren't able to raise
12 anybody, shortly thereafter we -- subsequently did find
13 out that the children were staying with friends or
14 family at this time.

15 Q And, Lieutenant, if you know, approximately
16 how long were you at the residence doing this well-
17 being check?

18 A Five minutes. Maybe 10 minutes.

19 MR. LALLY: Ms. Gilman, if I could ask you to
20 just bring the video forward to about 2 hours, 16
21 minutes and 30 seconds.

22 (Whereupon, the video was played.)

23 MR. LALLY: You can stop it there, Ms. Gilman.
24 Thank you very much.

25 (Whereupon, the video was paused.)

1 BY MR. LALLY:

2 Q Now, with reference to that driveway area that
3 was in front of your vehicle when you parked there,
4 what, if anything, beyond sort of snow, ice, or things
5 like that did you note within the driveway itself?

6 A Within the driveway itself, I noticed there
7 was two vehicles in the driveway.

8 Q Anything on the ground that you noted that
9 didn't -- anything on the ground beyond snow did you
10 note?

11 A No, sir.

12 MR. LALLY: Your Honor, may I have just one
13 moment?

14 THE COURT: Sure.

15 BY MR. LALLY:

16 Q Now, sir, with reference to -- with reference
17 to the residence at One Meadows Ave., are you familiar
18 with there being a security system or a Ring video
19 system at that residence?

20 A Yes, there is a Ring camera system at that
21 residence.

22 Q And subsequently to this date have you seen
23 that Ring video?

24 A Yes.

25 MR. LALLY: Ms. Gilman, if I could have

1 Exhibit 6 and if I could have Video 159?

2 BY MR. LALLY:

3 Q Now, Lieutenant Rae, what's up on the screen,
4 do you recognize that?

5 A Yes.

6 Q And what do you recognize that to be?

7 A I recognize that to be the driveway of
8 One Meadows Ave., and myself and Sergeant Meehan
9 exiting our cruiser while in the driveway.

10 MR. LALLY: And, Ms. Gilman, if you could
11 just play it through from there?

12 (Whereupon, the video was played.)

13 MR. LALLY: Thank you. And, Ms. Gilman, if I
14 could have the next video, 160, please, and pause
15 for just a moment.

16 BY MR. LALLY:

17 Q Now, again, what's up on the screen,
18 Lieutenant, do you recognize that?

19 A Yes.

20 Q And what do you recognize it to be?

21 A That's me entering, exiting the front of the
22 residence, walking towards the driveway.

23 MR. LALLY: And, Ms. Gilman, if you could play
24 it through, please?

25 (Whereupon, the video was played.)

1 MR. LALLY: Ms. Gilman, can I have Exhibit 5,
2 please? And from that could I have Video No. 18?
3 And if you could just pause it there.

4 BY MR. LALLY:

5 Q Lieutenant, do you recognize what's depicted
6 up on the screen now?

7 A Yes.

8 Q And what do you recognize that to be?

9 A One of the front doors to Mr. O'Keefe's house,
10 and I'm entering the frame on the left.

11 MR. LALLY: And, Ms. Gilman, if you could run
12 that video.

13 (Whereupon, the video was played.)

14 MR. LALLY: Thank you.

15 And, Ms. Gilman, if I could have the next
16 video, 19?

17 (Whereupon, the video was played.)

18 MR. LALLY: Pause it there, Ms. Gilman.

19 (Whereupon, the video was paused.)

20 BY MR. LALLY:

21 Q Again, in addition to going to the front door
22 and sort of in the driveway area, where, if anywhere,
23 are you going in this video now?

24 A It looks I'm heading towards the, from this
25 vantage point, to the right, which, if you're looking

1 at the house from the front, would be the left, to see
2 if there's anything in plain view through the windows,
3 if I could see anybody, any persons, any activity.

4 MR. LALLY: Ms. Gilman, if you could press
5 play?

6 (Whereupon, the video was played.)

7 MR. LALLY: Thank you, Ms. Gilman.

8 You can take that down, Mr. Officer. If we
9 could have the lights back on? Thank you very
10 much.

11 BY MR. LALLY:

12 Q And, Lieutenant Rae, just lastly, once you
13 left the residence at One Meadows Ave., where did you
14 go from there?

15 A I believe we went back to the police station?

16 MR. LALLY: Just one moment, Your Honor?

17 THE COURT: Yes.

18 MR. LALLY: I have no further questions for
19 this witness, Your Honor.

20 THE COURT: Okay. Mr. Yannetti?

21 MR. YANNETTI: The defense has no questions.

22 THE COURT: You are all set, sir. Thank you.

23 (Whereupon, the witness is excused.)

24 THE COURT: Your next witness, Mr. Lally?

25 MR. LALLY: Yes, Your Honor. The Commonwealth

1 would call Mr. Michael Camerano to the stand.

2 MR. LALLY: Your Honor, if I may, while the
3 witness is coming in, may we approach just on a
4 procedural thing?

5 THE COURT: Sure.

6 (Whereupon, there was a sidebar conference as
7 follows:)

8 MR. LALLY: With this witness, what I intend
9 to do, and I just wanted to check with the Court,
10 as to how you wanted me to do this.

11 THE COURT: Okay.

12 MR. LALLY: So a couple of different exhibits
13 that I intend to introduce through him. The first
14 would be essentially the text or chat long history
15 of John O'Keefe of which he's a participant in at
16 least one of those conversations.

17 THE COURT: Okay.

18 MR. LALLY: So I would be looking to introduce
19 that as an exhibit, as well as the copies -- video.
20 And there is an additional Ring video which is
21 entirely my fault, but it didn't make it onto
22 what's been marked as an exhibit. Essentially,
23 it's No. 148 from our count. It's when he leaves.
24 Mr. Camerano moves his vehicle in the top right of
25 the driveway and Mr. O'Keefe then moves his vehicle

1 over to the top left of the driveway. But it's not
2 on what's marked as Exhibit 5. I have a separate
3 disk with the video on it. I just need to mark it
4 as an exhibit, as well.

5 So my question is do you want me to -- I know
6 you want to see videos and things of that nature.
7 Do you want me to just mark it as an exhibit as I
8 go or do you want me to approach each time --

9 THE COURT: You've seen the exhibit? Who is
10 doing this?

11 MR. YANNETTI: I am.

12 THE COURT: Okay. So there is no question
13 that it's coming into evidence?

14 MR. YANNETTI: No.

15 THE COURT: So you can play it. How long is
16 it?

17 MR. LALLY: So I'm only playing just a few
18 different portions. I might play different
19 portions of different witnesses. But, for
20 Mr. Camerano's purposes, it's really just a couple-
21 minute clip here, a couple-minute clip there.

22 THE COURT: All right. Do you intend to use
23 it, as well?

24 MR. YANNETTI: I do.

25 THE COURT: Okay.

1 MR. YANNETTI: One additional question, Your
2 Honor, just for guidance. I noticed during
3 Mr. Lally's direct of this past witness he
4 displayed multiple videos onto the screen without
5 first asking permission of the Court. The Court
6 had --

7 THE COURT: He asked for permission yesterday
8 to do that.

9 MR. YANNETTI: Okay. Yes. But my
10 understanding was that we had to ask permission
11 every time we wanted to put something on.
12 Mr. Jackson yesterday was looking to display
13 exhibits which were already in evidence, and the
14 Court berated us for that.

15 THE COURT: Yes. Well, because you just went
16 back and said, put on the this, put on the screen
17 that.

18 MR. YANNETTI: In fact, that's what Mr. Lally
19 just did. And I'm not quibbling, Your Honor. I'm
20 just asking what are the rules. That's all.

21 THE COURT: Well, he at least stops it with,
22 you know, Ms. Gilman, could you play. But I
23 thought you asked -- let me know in advance if you
24 intend to use them.

25 MR. JACKSON: I'm going to ask permission

1 every single time --

2 THE COURT: Okay. Then you'll ask permission
3 every time too.

4 MR. JACKSON: I'm not even asking that he do
5 it.

6 THE COURT: No.

7 MR. JACKSON: But you --

8 THE COURT: So yesterday it was just sort of
9 out of the blue, put up No. 24, put up No. 26, like
10 that.

11 MR. JACKSON: Your Honor, I did yesterday
12 exactly what Mr. Lally did today and I think it's
13 compliant. However, given the Court's upgrading of
14 me yesterday, I am going to ask permission every
15 single time.

16 THE COURT: And you'll have to do it.

17 MR. LALLY: I understand.

18 THE COURT: All right.

19 (Whereupon, the sidebar conference concluded.)

20 Whereupon,

21 MICHAEL CAMERANO

22 having been first duly sworn, was examined and
23 testified as follows:

24 THE COURT: Whenever you're ready, Mr. Lally.

25 MR. LALLY: Thank you.

DIRECT EXAMINATION

BY MR. LALLY:

Q Good morning, sir.

A Good morning.

Q Could you please state your name and spell your last name for the jury?

A Michael Camerano, C-A-M-E-R-A-N-O.

Q And where do you live, sir?

A [REDACTED] in Canton.

THE COURT: I'm going to ask you to keep your voice up, Mr. Camerano.

BY MR. LALLY:

Q And, sir, if you want, that microphone is adjustable, so you can move it around to whatever it comfortable; okay?

A Uh-hmm.

Q And how long have you lived in Canton?

A Eighteen years.

Q And that residence you live at, who, if anyone, do you live there with?

A My wife and two children.

Q And what's your wife's name?

A Katherine.

Q And how old are your two children?

A Sixteen and thirteen.

1 Q And the 16-year-old, is that a boy or a girl?

2 A Girl.

3 Q And your other child, is that a boy or a girl?

4 A Boy.

5 Q Now, your wife, how long have the two of you
6 been married?

7 A Twenty-five years.

8 Q And do you work, sir?

9 A Yes.

10 Q What is it that you do for work?

11 A Laborer's Union.

12 Q And does you wife work as well?

13 A Correct.

14 Q And what does she do?

15 A She's a nurse.

16 Q And, sir, if I could turn your attention to
17 January 28th, 2022, do you recall that date, sir?

18 A Yes.

19 Q And were you working that day?

20 A Yes.

21 Q And do you recall what day of the week that
22 was?

23 A Friday.

24 Q And following work, what did you do after
25 work?

1 A I went home, did some stuff with the kids.

2 Q And, during the time that you were home, who,
3 if anyone, did you speak with, either via phone, text?

4 A I was talking to John O'Keefe.

5 Q And, with regard to John O'Keefe, how did you
6 know John O'Keefe?

7 A I met John seven years ago.

8 Q And how was it that the two you met?

9 A We met through mutual friends. Then our kids
10 became very friendly.

11 Q And the mutual friends through whom you met,
12 who are they?

13 A The Robertses.

14 Q And what are their first names?

15 A Curt and Kerry.

16 Q And starting with Curt Roberts, how do you
17 know Curt Roberts?

18 A I grew up with Curt.

19 Q Where did the two you grow up?

20 A Milton.

21 Q So you've known Curt Roberts most of your
22 life; is that correct?

23 A Correct.

24 Q And you mentioned that -- so you have two
25 children. How many children did Mr. O'Keefe have?

1 A Two.

2 Q And those two children, as far as their ages
3 and genders, what were they in relation to your two
4 children?

5 A Same.

6 Q So 16-year-old girl --

7 A -- 13-year-old --

8 Q -- 13-year-old boy.

9 And were each of your two children friends
10 with Mr. O'Keefe's niece and nephew?

11 A Correct.

12 Q Now, as far as friends were concerned,
13 starting with your children and Mr. O'Keefe's niece and
14 nephew, how close friends were they?

15 A My daughter was very extremely close.

16 Q And extremely close with John's niece --

17 A (c) .

18 Q -- (c) ?

19 A Yeah.

20 Q And, with reference to your son and
21 John O'Keefe's nephew, (c) , what was sort of the
22 nature of their relationship?

23 A They were close also.

24 Q And, as far as activities, what, if any, sort
25 of activities did your kids do with (c) and (c) ?

1 A (c) and (c) played baseball together.

2 (c) and (c) played basketball, soccer also.

3 Q And John O'Keefe, how would you describe your
4 relationship with John O'Keefe?

5 A We were close. We did a lot of stuff together
6 around pick up the kids, drop the kids off. We
7 coordinated a lot of stuff together. We were friends.

8 Q And your residence versus -- you're familiar
9 with where Mr. O'Keefe lived; correct?

10 A Yes.

11 Q And where did he live?

12 A Meadows Ave.

13 Q And about how far away is Meadows Ave. from
14 where you live?

15 A Five minutes.

16 Q Now, with regard to the girls, and by that I
17 mean your daughter and John O'Keefe's niece, (c),
18 what, if anything, was going on with them on that
19 particular day?

20 A They both received acceptance letters to go to
21 school.

22 Q Which school was that, sir?

23 A Bishop Feehan.

24 Q Is that a private school?

25 A Yes.

1 Q So at the time of this, in January 28th, 2022,
2 what grade was your daughter and (c) (c) in?

3 A Eighth grade.

4 Q So this would have been going into ninth grade
5 or high school; is that right?

6 A Correct.

7 Q And what, if any, conversation did you have
8 with Mr. O'Keefe in reference to that at some point in
9 the afternoon?

10 A We were both excited they both received
11 acceptance letters and we wanted to get the kids
12 together.

13 MR. LALLY: Your Honor, may I approach?

14 THE COURT: Yes.

15 BY MR. LALLY:

16 Q I'm directing your attention --

17 THE COURT: Show counsel.

18 MR. LALLY: Oh, I'm sorry.

19 BY MR. LALLY:

20 Q I'm showing you a document. Just as far as --
21 specifically with reference to page, starting on page
22 188 of that document, if you could just look at that
23 and look up when you're finished?

24 THE COURT: Mr. Jackson, do you want me to
25 instruct the jury on this?

1 MR. JACKSON: Yes.

2 THE COURT: All right. So, folks, before you
3 consider any electronic communications in your
4 deliberations, you must first find that it's more
5 likely true than not that the person who authored
6 or sent these messages is this witness and/or
7 John O'Keefe. If you do not find that it's more
8 likely true than not that the messages were sent or
9 authored by Mr. Camerano or Mr. O'Keefe, then you
10 may not consider the electronic communication in
11 deciding this case.

12 Go ahead, Mr. Lally.

13 MR. LALLY: Your Honor, may I approach just
14 briefly again?

15 THE COURT: Yes.

16 BY MR. LALLY:

17 Q Well, Mr. Camerano, do you recognize what's
18 depicted on that page that I just showed you?

19 A Yes.

20 Q And what do you recognize it to be?

21 A Text messages.

22 Q And are those text messages that you had back
23 and forth with Mr. O'Keefe on the day of January 28th?

24 A Correct.

25 MR. LALLY: Your Honor, the Commonwealth would

1 seek to introduce a book essentially as the next
2 exhibit.

3 THE COURT: Is there any objection?

4 MR. JACKSON: No, Your Honor.

5 THE COURT: Thank you.

6 (Whereupon, binder with text messages was entered
7 and marked as Exhibit No. 48 in Evidence.)

8 THE COURT REPORTER: Exhibit 48.

9 BY MR. LALLY:

10 Q Mr. Camerano, I bring your attention back to
11 page 187 of that document. Do you see anything in
12 there listing toward participants in a text
13 communication or conversation on the bottom of the
14 page?

15 A Yes.

16 Q And as far as -- who are sort of listed as the
17 participants in that conversation that comes to follow
18 on the next page? I'm sorry, sir. Just from page 187,
19 from the bottom --

20 A My wife.

21 Q Okay. Your wife and who, if anyone else?

22 A John.

23 Q And your wife, John. And is your number there
24 as well?

25 A Correct.

1 Q So, essentially, that's a conversation between
2 yourself; your wife, Katherine; and John O'Keefe.
3 Correct?

4 A Correct.

5 Q Okay. Now, beyond sort of your memory of
6 that, as far as the numbers that are associated with
7 those names, do you recognize any of those numbers as
8 being yours, your wife's, and John O'Keefe's?

9 A No. It's just three numbers.

10 Q Now, sir, if I could ask you to flip the page
11 to the next one, 188.

12 MR. LALLY: Your Honor, with the Court's
13 permission, may Ms. Gilman publish this for the
14 jury to read as well?

15 THE COURT: Yes.

16 MR. LALLY: And, Ms. Gilman, if you could go
17 to page 188?

18 Now, I'm sorry, Ms. Gilman, if you could,
19 just --

20 BY MR. LALLY:

21 Q So, sir, what's up on the screen right now, is
22 that what you have before you as page 188 of Exhibit
23 48? What's up on the screen, is that what you have
24 before you?

25 A Correct.

1 Q Okay. And as far as on these conversations
2 there a blue bubbles and green bubbles; is that
3 correct?

4 A Correct.

5 Q Okay. And if you can tell us from the content
6 or from anything else on the page before you who is
7 communicating in the blue bubble and who is
8 communicating in the green bubble?

9 A Katie, my wife.

10 Q From within --

11 A Oh, I'm communicating.

12 Q So there's a from and a to; is that correct?

13 A Correct.

14 Q And, so, the sender would be the from; is that
15 your understanding?

16 A Yes.

17 Q So this first one on the top page, 188, this
18 is from you; is that correct?

19 A Correct.

20 Q What, if anything, did you say in this
21 conversation?

22 A "Congrats. This is great news."

23 Q And what, if anything, are you referring to by
24 that?

25 A [REDACTED] getting an acceptance letter.

1 MR. LALLY: And, Ms. Gilman, if you could just
2 scroll down?

3 BY MR. LALLY:

4 Q And the next bubble, who is that from and what
5 does it say?

6 A It's from me. "Yes, we did."

7 MR. LALLY: And if you could continue to
8 scroll down some?

9 BY MR. LALLY:

10 Q And, again, from this bubble, who is this from
11 and what does it say?

12 A It's from John. "Same news, I hope."

13 Q Was that still in reference to the news
14 regarding Feehan?

15 A Correct.

16 MR. LALLY: Ms. Gilman, if you could scroll
17 down again?

18 BY MR. LALLY:

19 Q And, again, sir, the next bubble, who is it
20 from and what does it say?

21 A It's from me. "Yes."

22 MR. LALLY: Ms. Gilman, if you could?

23 BY MR. LALLY:

24 Q The next green bubble, what, if anything, does
25 that say and who is it from?

1 A From John. "Sweet. Congrats, [REDACTED]."

2 Q And is that your daughter's name?

3 A Correct.

4 MR. LALLY: And then if you could continue to
5 scroll down again?

6 BY MR. LALLY:

7 Q And, again, the next bubble, who is it from
8 and what does it say?

9 A It's from my wife. "I'm so excited for these
10 girls. [REDACTED] doesn't know yet."

11 MR. LALLY: And again, Ms. Gilman, if you
12 could scroll down?

13 Q And, again, the next bubble, who is it from
14 and what does it say, sir?

15 A From J.J. "Well, I told [REDACTED] already, so
16 I'm sure she's texted it by now. Poor kid is probably
17 a nervous wreck."

18 Q And the next bubble?

19 A "I know."

20 Q And who is that from?

21 A From my wife, Katie.

22 MR. LALLY: And if you could scroll down
23 again, Ms. Gilman?

24 BY MR. LALLY:

25 Q And the next bubble, sir?

1 A From me. "I am sure she is freaking out."

2 MR. LALLY: And if you could scroll down
3 again, please.

4 BY MR. LALLY:

5 Q And the next bubble, sir, who is it from and
6 what does it say?

7 A It's from John. "No doubt."

8 MR. LALLY: And if you could scroll down
9 again, Mr. Gilman?

10 BY MR. LALLY:

11 Q Now, sir, if I could --

12 MR. LALLY: May I approach, Your Honor, just
13 to --

14 THE COURT: Yes.

15 Do you need the lights on?

16 MR. LALLY: I don't.

17 THE COURT: Mr. Camerano, are you able to see
18 without these lights on?

19 THE WITNESS: Yes, I can.

20 BY MR. LALLY:

21 Q So, sir, I'm going to direct your attention to
22 within the same exhibit page 156. And, sir, just
23 before we get to that, on the particular day of
24 January 28th, 2022, where was your wife that day?

25 A She was at home.

1 Q And at some point did she go to work on the
2 28th?

3 A Correct.

4 Q Okay. And what is sort of her typical work
5 schedule with reference to -- or at that time what was
6 her sort of typical work schedule with reference to
7 weekends?

8 A She worked weekend nights.

9 Q And, as far as your typical schedule on Friday
10 evenings, what, if anything, was it that you would
11 typically do?

12 A I would be with the kids. I would get them
13 ready for stuff for the weekend, take care of all the
14 activities that we had.

15 Q And then in reference to that as far as the
16 weekends were concerned, Friday evenings in particular,
17 what, if any, sort of usual thing would you do with
18 reference to Mr. O'Keefe?

19 A I would usually go over the O'Keefe's house.

20 Q With your children; is that correct?

21 A Correct, or at least one of them, if not both.

22 Q So maybe your son is hanging out with [REDACTED]
23 or your daughter is hanging out with [REDACTED] typically
24 on Friday; correct?

25 A Correct.

1 Q Now, with reference to what you have before
2 you as page 156 of this exhibit, again towards the
3 bottom is there an indication as to a conversation
4 starting on the next page as far as who, if anyone, the
5 participants are?

6 A What are you asking?

7 MR. LALLY: May I approach, Your Honor?

8 THE COURT: Yes.

9 BY MR. LALLY:

10 Q What I want to direct your attention to is the
11 bottom of page 156 here. As far as that box at the
12 bottom, what, if anything, does that indicate as far as
13 the participants in the conversation that continues or
14 begins on the next page?

15 A Myself and John.

16 Q And, sir, if I could ask you to flip the page
17 over to page 157.

18 MR. LALLY: And, Your Honor, with the Court's
19 permission, could I publish this part of the
20 conversation for the jury?

21 THE COURT: Yes.

22 There's no objection; is there?

23 MR. JACKSON: No objection.

24 MR. LALLY: And, Your Honor, for the record,
25 we're going from 156 to page 159.

1 BY MR. LALLY:

2 Q And, so, Mr. Camerano, again, what's up on the
3 screen, is that what you have before you as page 157?

4 A Correct.

5 Q And, so, you can look at either. Whether it's
6 the book in front of you or if it's easier to see the
7 screen, either is fine. But with reference to what's
8 up on the screen, that first bubble, if you could
9 indicate to the jury again who it's from and what it
10 says.

11 A It's from J.J. "Hi to Caira, too, by the
12 way."

13 Q And who is Caira?

14 A I don't know.

15 Q Okay. Fair enough.

16 Now, with reference --

17 MR. LALLY: Ms. Gilman, if you could scroll
18 down?

19 BY MR. LALLY:

20 Q And the next bubble again -- I'm sorry.

21 MR. JACKSON: Your Honor --

22 THE COURT: Take the screen down, please,
23 Mr. Lally. Turn on the lights, please. Thank you.

24 MR. JACKSON: May I have just a moment with
25 counsel?

1 THE COURT: Sure.

2 MR. LALLY: Your Honor, may I approach just to
3 retrieve the exhibit?

4 THE COURT: Yes.

5 MR. JACKSON: And, just for the record, Your
6 Honor, I would ask at this point to strike whatever
7 -- I don't think there was a whole lot done on that
8 page, but whatever that was did not seem to be --

9 THE COURT: There was an "I don't know" --

10 MR. JACKSON: Thank you.

11 THE COURT: So, jurors, disregard that last
12 question.

13 BY MR. LALLY:

14 Q Directing your attention, Mr. Camerano, to
15 what's on 157 before you, is that what's up on the
16 screen now?

17 A Yes.

18 MR. LALLY: And, so, my apologies to the
19 Court.

20 BY MR. LALLY:

21 Q First of all, we're on page 157. Who is it
22 from and what does it say?

23 A It's from J.J. "Are you guys around tonight?"

24 MR. LALLY: Ms. Gilman, if you could scroll
25 down?

1 BY MR. LALLY:

2 Q And with respect to that next blue bubble, who
3 is it from and what does it say?

4 A It's from me. "Katie is working. I'm around.
5 [REDACTED] and (c) [REDACTED] is going to the Luce to play with
6 a friend."

7 Q And what is the Luce play?

8 A The Luce is an elementary school.

9 Q And was there a play or something --

10 A There's a park down there, activities for
11 kids.

12 MR. LALLY: And, Ms. Gilman, if you could
13 scroll down to the next bubble?

14 BY MR. LALLY:

15 Q And, again, who it from and what does it say,
16 sir?

17 A From J.J. "Okay. At the driveway with her
18 now. I'll text on my way back."

19 Q And could that be at the doctor's?

20 A Could be.

21 MR. LALLY: And, Ms. Gilman, if you could
22 scroll down to the next bubble?

23 BY MR. LALLY:

24 Q And, again, who is it from and what does it
25 say?

1 A It's from me to J.J. "Everything okay?"

2 MR. LALLY: And if you could go down to the
3 next bubble, please.

4 Q And, again, who is it from and what does it
5 say?

6 A It's from J.J. "Yes. Stupid shit."

7 MR. LALLY: Please scroll down to the next
8 bubble.

9 BY MR. LALLY:

10 Q -- blank?

11 A Yes.

12 THE COURT REPORTER: I can't hear.

13 Thank you.

14 BY MR. LALLY:

15 Q So, Mr. Camerano, the next bubble has no text
16 to it; is that correct?

17 A Correct.

18 MR. LALLY: And, Ms. Gilman --

19 THE COURT: And now you can move out of the
20 way. Thank you.

21 BY MR. LALLY:

22 Q The next green one, again, who is it from,
23 what does it say, sir?

24 A It's from Johnny. "Just talked to Jen and
25 they both got into Feehan."

1 MR. LALLY: And if you could scroll down to
2 the next bubble?

3 BY MR. LALLY:

4 Q Again, green bubble, who is it from and what
5 does it say, sir?

6 A It's from Johnny. "Want to drop [REDACTED] off
7 and hit the Hillside for a bit?"

8 Q And what is the Hillside, sir?

9 A It's a pub.

10 Q And where is it located?

11 A Canton.

12 MR. LALLY: And, Ms. Gilman, if you could
13 scroll down again?

14 BY MR. LALLY:

15 Q The blue bubble on the screen, who is that
16 from and what does it say?

17 A It's from me to John. "I probably won't get
18 to your house until 5:00-5:30."

19 MR. LALLY: Ms. Gilman, please scroll down
20 again.

21 BY MR. LALLY:

22 Q And that green bubble, who is it from and what
23 does it say?

24 A It's from John. "Okay."

25 MR. LALLY: Ms. Gilman, if you could just

1 scroll down again?

2 BY MR. LALLY:

3 Q And, again, the blue bubble on the screen, who
4 is it from and what does it say?

5 A It's from me. "I am leaving in ten."

6 MR. LALLY: Ms. Gilman, if you could scroll
7 down again?

8 BY MR. LALLY:

9 Q And the next green bubble, who is it --

10 A It's from J.J. "Okay."

11 MR. LALLY: And, Ms. Gilman, if you could
12 scroll down one last time? And that's fine.

13 Thank you. Ms. Gilman, you can take that down.

14 Your Honor, may I approach just to retrieve?

15 THE COURT: Yes.

16 BY MR. LALLY:

17 Q Mr. Camerano, with regard to your statement in
18 the text as far as leaving now, where were you leaving
19 and where were you going to?

20 A Leaving my house and going to John's house.

21 Q And who, if anyone, was going with you at that
22 time?

23 A My daughter.

24 Q And, if you know, approximately what time did
25 you arrive at Mr. O'Keefe's house?

1 A I don't.

2 Q Now, through your friendship with Mr. O'Keefe,
3 did you become familiar with a person named Karen Read?

4 A Yes.

5 Q And how did you become familiar with her and
6 who, if anyone, was she to Mr. O'Keefe as far as you
7 knew?

8 A John introduced me to her. She was John's
9 girlfriend.

10 Q And, just to be clear, do you see Ms. Read in
11 the courtroom today?

12 A Yes.

13 Q Could you just identify as to where she's
14 seated or an article of clothing that she's wearing?

15 A She's seated right there (Indicating).

16 MR. LALLY: Your Honor, I'd just ask the
17 record to reflect identification of the defendant
18 by the witness.

19 THE COURT: Yes.

20 BY MR. LALLY:

21 Q Now, with regard to Ms. Read, prior to that
22 date of January 28th, 2022, how long had you known
23 Ms. Read?

24 A A year.

25 Q Do you recall approximately when you met her?

1 A No.

2 Q And, as far as you were aware, where
3 Mr. O'Keefe lived, did Ms. Read live there as well?

4 A Yes. Not full time.

5 Q So she had a house of her own, as far as you
6 knew?

7 A Correct.

8 Q And about how often on a given week would you
9 see Mr. O'Keefe?

10 A A couple times.

11 Q And about how often would you see Ms. Read?

12 A I would see her also.

13 Q Now, as far as your relationship with
14 Mr. O'Keefe and/or Ms. Read, would there be occasions
15 where you would see Mr. O'Keefe without Ms. Read?

16 A Correct, yes.

17 Q And would there be any occasion where you
18 would see Ms. Read without Mr. O'Keefe?

19 A Yes.

20 Q And where would that be?

21 A At the house. Maybe at fields.

22 Q Now, with reference to their relationship,
23 what, if any, conversation did you have with
24 Mr. O'Keefe in regard to his relationship with
25 Ms. Reid?

1 MR. JACKSON: Objection.

2 THE COURT: Sustained. We need a time frame.

3 BY MR. LALLY:

4 Q In the time period around, say, the weeks
5 leading up to January 28th, 2022, what, if any,
6 conversation do you recall having with Mr. O'Keefe in
7 regard to his relationship with Ms. Read?

8 A Just regular guy conversations.

9 Q Anything specific that you can recall?

10 A No.

11 Q Now, when you arrived at the house, or
12 typically when you come over to Mr. O'Keefe's house,
13 where is it that you would park?

14 A In the driveway, to the right.

15 Q And is that what you did on this particular
16 day?

17 A Yes.

18 Q When you arrived at the house, where did you
19 go?

20 A Into the house.

21 Q Yourself and your daughter?

22 A Yes.

23 Q And, when you got in there, who, if anyone,
24 was at the house at that time?

25 A [REDACTED] and John.

1 Q And what is it that you did or what is it that
2 occurred while you were in the house?

3 A Excuse me?

4 Q What happened in the house?

5 A We were just congratulating the girls, talking
6 about how good it's going to be in school, really
7 excited for the girls.

8 Q And at some point did yourself and Mr. O'Keefe
9 make plans to leave the house?

10 A Yes.

11 Q And where did you go?

12 A We went down to McCarthy's.

13 Q And is that C.F. McCarthy's?

14 A Correct.

15 Q And is that an establishment? Where is that?

16 A It's in Canton Center.

17 Q About how far away from Mr. O'Keefe's house is
18 that?

19 A Five, ten minutes.

20 Q And is that somewhere that you're familiar
21 with, you've been before?

22 A Not frequently.

23 Q Now, with regard to -- do you know
24 approximately what time you left Mr. O'Keefe's house
25 and went to C.F. McCarthy's?

1 A I don't.

2 Q And where were the girls when the two of you
3 went to C.F. McCarthy's?

4 A They were in the house.

5 Q And, at the time that you left there and went
6 to C.F. McCarthy's, who, if anyone else -- was there any
7 plans as far as meeting anybody else there?

8 A Was supposed to meet Karen.

9 Q Now, prior to leaving the house, what, if
10 anything, did you or Mr. O'Keefe do with reference to
11 the vehicles that were in the driveway?

12 A So, when we were leaving the house, I was
13 parked in the driveway and John was parked on the left
14 side of the driveway. John asked me. I backed up so
15 John could move his car out of the way so Karen could
16 pull his, pull her car into the garage because of the
17 snowstorm.

18 Q I'm sorry. You said because of what now?

19 A Snowstorm.

20 Q And, as far as a snowstorm was concerned,
21 what, if anything, did you know at that point in regard
22 to that?

23 A We were supposed to get a lot of snow.

24 MR. LALLY: If I may have just one moment,
25 Your Honor?

1 THE COURT: Yes.

2 MR. LALLY: Your Honor, with the Court's
3 permission, I would ask that Ms. Gilman be allowed
4 to publish a part of Exhibit 6, which is the
5 driveway of the Ring video.

6 THE COURT: Okay.

7 MR. LALLY: And, Ms. Gilman, if I could ask
8 for Video No. 145. I'm sorry. If you could pause
9 it right there?

10 (Whereupon, the video was played and paused.)

11 BY MR. LALLY:

12 Q Mr. Camerano, do you recognize what's up on
13 the screen?

14 A Yes.

15 Q And what do you recognize that to be?

16 A Myself and my daughter.

17 Q And, as far as --

18 MR. LALLY: May I approach the witness again,
19 Your Honor?

20 THE COURT: Yes.

21 BY MR. LALLY:

22 Q So just before you here this is a laser
23 pointer. If you just press that button and point it.

24 A Okay.

25 Q Mr. Camerano, using that laser pointer that

1 you now have with you, if you could direct the jury's
2 attention where in this video you see yourself and your
3 daughter?

4 A (Indicating).

5 Q And there are two vehicles in this frame; is
6 that correct?

7 A Yes.

8 Q If you could use the laser pointer to describe
9 to the jury whose car is whose and where is it?

10 A The white car is mine. The SUV is John's.

11 Q Now, as far as the Ring system that
12 Mr. O'Keefe had at his house at the time, as far as
13 your knowledge of it, what, if anything, would the two
14 of you do with reference to sort of picking up or
15 dropping off kids and the Ring video?

16 A Yes. He had a camera. So I'd like always
17 wave or give, you know -- I always knew that he was
18 like watching.

19 Q And do you know how it was watching if he
20 wasn't home?

21 A Yes. On his phone.

22 Q So would that be sort of a running joke
23 between the two of you?

24 A Yes.

25 MR. LALLY: Ms. Gilman, if you could play

1 this, please.

2 (Whereupon, the video was played.)

3 MR. LALLY: Ms. Gilman, if you could just
4 pause it there briefly.

5 (Whereupon, the video was paused.)

6 BY MR. LALLY:

7 Q Now, Mr. Camerano, you're familiar with
8 Mr. O'Keefe's house. You've been there plenty of
9 times; correct?

10 A Yes.

11 Q And, with reference to sort of where you and
12 your daughter sort of exited from the screen, what, if
13 any, sort of entrances to the home are located in that
14 area?

15 A Two garage doors.

16 Q And are you familiar with that garage area?

17 A Yes.

18 Q Is that typically how you would enter the
19 house?

20 A Yes.

21 Q And, with regard to sort of the condition of
22 the garage, was Mr. O'Keefe particular about that?

23 A Yes.

24 Q And how so?

25 A He always kept things very tidy. He was like

1 OCD.

2 Q So, as far as -- how many garage doors? And
3 what I mean by garage doors is sort of electronic, you
4 know, up and down.

5 A So there's two garage doors that go up and
6 down and there's a door.

7 Q And what, if anything, was on the left, as far
8 as the left door?

9 A There was an old classic car he had, a
10 convertible.

11 Q And then as far as the right door?

12 A It was empty.

13 Q And beyond those sort of bay doors that go up
14 and down, what, if any other, entranceway into the
15 garage was there?

16 A There's a side door.

17 Q And, if you recall, when you were entering at
18 that time on the 28th with your daughter, how did you
19 enter in?

20 A We went to the garage door, electric door.

21 Q And was that something -- what, if anything,
22 was affixed to those garage doors as far as security
23 was concerned, beyond the camera?

24 A A keypad. You have to punch in a key.

25 Q And at the time or at any time were you

1 familiar with what that passcode was?

2 A Yes.

3 Q Now, when you walk into the garage, how is it
4 that you get from the garage to the house?

5 A Walk into the garage and you walk up three
6 steps and you go into a door.

7 Q And then once you sort of walk up the three
8 steps and go into the door, what part of the house are
9 you in when you enter?

10 A You're pretty much in the kitchen.

11 Q And you mentioned that Mr. O'Keefe was
12 meticulous, if not OCD, when it came to the garage.
13 How did that relate to how he kept the house?

14 A The same. Everything was very tidy. When you
15 walked in the door into the house, to the left you put
16 your shoes. Coats would be hung there.

17 Q And, as far as shoes were concerned, is that
18 something that you wore inside the house or no?

19 A He'd rather you not.

20 Q And that was pretty well-known to people that
21 had been there before; correct?

22 A Yes.

23 MR. LALLY: Ms. Gilman, from the same exhibit,
24 if I could -- actually, I'm sorry.

25 Your Honor, with regards to the next video

1 that's not contained on this Exhibit 5, from the
2 same video, I would offer that at this time as the
3 next exhibit.

4 THE COURT: There's no objection, Mr. Jackson?

5 MR. JACKSON: No objection.

6 THE COURT: Okay.

7 (Whereupon, CD of garage area footage of
8 One Meadows Ave. was entered and marked as
9 Exhibit No. 49 in Evidence.)

10 THE COURT REPORTER: Exhibit 49.

11 THE COURT: Thank you.

12 MR. LALLY: Your Honor, for the record, this
13 would relate to Exhibit 6 and it's Video No. 148.

14 And, with the Court's permission, may I
15 publish that to the jury at this time, Your Honor?

16 THE COURT: Yes.

17 (Whereupon, the video was played.)

18 BY MR. LALLY:

19 Q What was just up on video, sir, just up on the
20 screen as Video No. 148, that was what you had
21 testified to previously as far as moving the cars?

22 A Correct.

23 Q And why was that again?

24 A So Karen could pull in the driveway, in the
25 garage. Excuse me.

1 Q Okay. So the expectation from your
2 understanding is that Ms. Read was coming back to the
3 house at Meadows later on that evening?

4 A Correct.

5 Q Now, as Mr. O'Keefe, from that video, on the
6 screen there, was walking to the car did you happen to
7 notice how he was dressed?

8 A Yes.

9 Q And, as far as what you observed in that
10 video, what you recall from that evening, is that how
11 he was dressed that evening?

12 A Yes.

13 Q And when I say "how he was dressed," so for
14 the entirety of the time that you were with him?

15 A Yes.

16 Q So it's January 28th. Do you recall -- you
17 indicated there a snowstorm coming. It was cold out;
18 is that correct?

19 A Correct.

20 Q And, with reference to that, was Mr. O'Keefe
21 someone that would typically wear a coat?

22 A No.

23 Q And ever that you can recall?

24 A Never that I can recall.

25 MR. LALLY: And, Your Honor, with the Court's

1 permission, with reference to that same Exhibit 6,
2 if I could publish Video No. 149?

3 THE COURT: Okay.

4 (Whereupon, the video was played.)

5 BY MR. LALLY:

6 Q So, from that video, Mr. Camerano, what is it
7 that you and Mr. O'Keefe are doing in that video?

8 A We're heading down to McCarthy's.

9 Q Now --

10 THE COURT: Do you want the lights on,
11 Mr. Lally?

12 MR. LALLY: Yes. Thank you.

13 BY MR. LALLY:

14 Q Now, at some point after you arrived at
15 C.F. McCarthy's, who, if anyone, else sort of joins
16 your group?

17 A Curt.

18 Q And that would be Curt Roberts; is that
19 correct?

20 A Correct.

21 Q And how is it that he came to C.F. McCarthy's
22 that night, if you know?

23 A I texted him.

24 Q And, in general terms, do you recall sort of
25 what that text communication was like between yourself

1 and Mr. Roberts?

2 A Yes. He said he was busy, he was doing
3 something, and I texted him he was a pussy.

4 Q And following that text did Mr. Roberts
5 eventually arrive at C.F. McCarthy's?

6 A He showed up, yes.

7 Q And about how long after you and Mr. O'Keefe
8 arrived did Curt show up?

9 A I would say maybe an hour.

10 Q And, if you know, when was it that Ms. -- at
11 some point you indicated Ms. Read appeared at
12 C.F. McCarthy's as well?

13 A Correct.

14 Q And do you know about how long after yourself
15 and John arrived that Ms. Read appeared?

16 A I don't.

17 Q Now, with reference to that establishment of
18 C.F. McCarthy's, are you aware or have you become aware
19 that there was surveillance video from inside the bar
20 that night?

21 A Yes.

22 Q And you've seen some of that footage; is that
23 correct?

24 A Yes.

25 MR. LALLY: Your Honor, may I approach?

1 THE COURT: Yes.

2 MR. LALLY: The Commonwealth would seek to
3 introduce and admit the surveillance video from
4 C.F. McCarthy's as the next exhibit.

5 THE COURT: And there's no objection,
6 Mr. Jackson?

7 MR. JACKSON: There is not.
8 (Whereupon, thumb drive with footage from
9 C.F. McCarthy's was entered and marked as Exhibit
10 No. 50 in Evidence.)

11 THE COURT REPORTER: Exhibit 50, 5-0.

12 THE COURT: Thank you.

13 MR. LALLY: Your Honor, with the Court's
14 permission, I would seek to publish portions of
15 that video for the jury at this time.

16 THE COURT: Okay.

17 MR. LALLY: And, Ms. Gilman, if you could from
18 that video, the first -- yes, the first video
19 -- if I could ask you to play from about 7 minutes
20 and 40 seconds and we'll go through 9 minutes or
21 so.

22 (Whereupon, the video was being played.)

23 MR. LALLY: If you could pause it just there?

24 (Whereupon, the video was paused.)

25 BY MR. LALLY:

1 Q Now, do you recognize what's up on the screen,
2 Mr. Camerano?

3 A Yes.

4 Q And what do you recognize that to be?

5 A C.F. McCarthy's.

6 Q And yourself and Mr. O'Keefe are not in the
7 frame at this time; is that correct?

8 A No.

9 Q If you could, using the laser pointer before
10 you, if you could direct the jury's attention to where
11 it was about in reference to the bar that you and
12 Mr. O'Keefe eventually came to congregate that evening?

13 A These seats here (Indicating).

14 Q And, from this video, from your time there
15 that night or prior occasions, can you see where the
16 front door is to the establishment?

17 A Yes.

18 Q Could you direct the jury's attention to where
19 that is?

20 A (Indicating).

21 Q And, so, what I'm going to ask in just a
22 moment, wait for Ms. Gilman to press play, and then
23 what I'd ask you to do is if you could just direct the
24 jury's attention to when, if at all, you observe
25 yourself and Mr. O'Keefe walk in.

1 A Okay.

2 MR. LALLY: Ms. Gilman, if you could?

3 (Whereupon, the video was being played.)

4 MR. LALLY: Ms. Gilman, if you could pause it
5 right there?

6 (Whereupon, the video was paused.)

7 BY MR. LALLY:

8 Q And, I'm sorry, Mr. Camerano, you're directing
9 the laser pointer. If you could just describe what
10 you're directing the --

11 A That is me and that is John.

12 MR. LALLY: Ms. Gilman, if you could just play
13 this through?

14 (Whereupon, the video was played.)

15 MR. LALLY: And, Your Honor, for the record, I
16 think we're at about 9 minutes and 41 seconds or
17 so.

18 BY MR. LALLY:

19 Q So, with reference to C.F. McCarthy's, you
20 went there and had some drinks; correct?

21 A Yes.

22 Q And do you recall what you were drinking or
23 what John was drinking that night?

24 A Beer.

25 Q And was that sort of typical for the two of

1 you?

2 A Yes.

3 Q And do you recall, sort of, was that from the
4 tap or bottle or something else?

5 A From the bottle.

6 Q And do you recall what type of beer typically
7 you would drink or Mr. O'Keefe would drink?

8 A Bud Light.

9 Q And do you recall specifically that's what you
10 had that night, or that's just what you would typically
11 have?

12 A Typically, I think we had Bud Light.

13 Q And, if you know, approximately how many beers
14 or how many drinks did you have over the course of your
15 time at C.F. McCarthy's that night?

16 A I don't.

17 Q As far as yourself versus Mr. O'Keefe, do you
18 recall sort of in relation to each other how much you
19 each had to drink?

20 A Maybe six beers.

21 Q And what I'm asking, sir, it's not like did
22 one of you have 10 and one of you have two, or was it
23 sort of commensurate with each other?

24 A Commensurate. One for one.

25 Q Okay. So, essentially, you're buying rounds

1 as you go along?

2 A Correct.

3 Q Now, from your time at C.F. McCarthy's, how
4 would you describe sort of the tone or sort of the
5 demeanor within the group that you were in then?

6 A Pretty good.

7 Q So no arguments, no fighting, anything like
8 that within your group?

9 A No.

10 Q And just briefly going back to the clothing
11 that you observed Mr. O'Keefe wearing in this and that
12 you recall him wearing that night, what, if any, damage
13 or tears or anything like that did you note in any of
14 his clothing that night?

15 A I did not see any.

16 MR. LALLY: Now, Ms. Gilman, if I could ask
17 you to take this down and go to the third video,
18 and, Ms. Gilman, if I could direct your attention
19 to the 6 minute and 10 second mark up through the
20 7 minute mark. When you get to six ten, would you
21 just pause it, please?

22 BY MR. LALLY:

23 Q Now, Mr. Camerano, directing your attention to
24 the screen, if you could, from the point -- or, you
25 know, within your group that night at the bar, if you

1 could just direct the jury's attention to who was who
2 and who, if anyone, you recognize in the video?

3 A Curt.

4 Q So, in addition to yourself and Mr. O'Keefe,
5 Mr. Roberts has now joined your group?

6 A Correct.

7 MR. LALLY: And, Ms. Gilman, if you could,
8 just play it from there?

9 (Whereupon, the video was being played.)

10 MR. LALLY: If you could pause there, please.

11 (Whereupon, the video was paused.)

12 BY MR. LALLY:

13 Q Now, referring to Mr. Roberts, is he a beer
14 drinker as well?

15 A Yes.

16 Q From a bottle that night, same sort of thing
17 that yourself and Mr. O'Keefe were having?

18 A Correct.

19 Q And, from where it's paused at this point in
20 the video, who, if anyone else, do you recognize who
21 are coming into frame or coming to join your group?

22 A Karen Read.

23 Q So, from this, is this about the time that she
24 entered the establishment or came into the bar?

25 A Yes.

1 Q Now, with reference to Ms. Read, what, if
2 anything, do you recall her drinking during your time
3 that you were both at C.F. McCarthy's that night?

4 A She was drinking out of a glass.

5 Q And, if you know, what, if anything, did you
6 observe as far as the color of what was in the glass?

7 A It was clear.

8 Q And beyond sort of the clear liquid in the
9 glass, what, if anything else, did you observe in the
10 glass, as far as a straw, fruit, anything like that?

11 A A straw, I believe.

12 Q And what, if anything -- did you know what was
13 in the glass?

14 A I didn't.

15 Q And, as far as you could tell, what was in the
16 glass?

17 A Vodka?

18 Q And is that something that Ms. Read would
19 typically drink if you had been out with her on a prior
20 occasion?

21 A Yes.

22 MR. LALLY: And I'm sorry to keep jumping back
23 and forth between, but, Ms. Gilman, if you could
24 just hit play again and play it to the seven minute
25 mark?

1 (Whereupon, the video was played.)

2 MR. LALLY: Thank you. Now, Ms. Gilman, from
3 this same third video in this exhibit of the
4 C.F. McCarthy's, if I could ask you to forward to
5 the 14-minute mark and pause that. And, if you
6 could, I would ask that you play this from the 14-
7 minute mark until about 14 minutes and 15 seconds,
8 so just about 15 seconds.

9 (Whereupon, the video was played.)

10 MR. LALLY: And, Ms. Gilman, you can take that
11 down, if you want.

12 BY MR. LALLY:

13 Q So, Mr. Camerano, you indicated that your son
14 was at Luce Elementary School for a play of some sort;
15 is that correct?

16 A He was for a little bit.

17 Q And from there where, if anywhere else, did he
18 go that evening?

19 A He went to a friend's house to skate in his
20 backyard.

21 Q Skate as far as just skating, or what, if
22 anything else, was he doing?

23 A He was skating, like a little party.

24 Q Well, let me ask you this. Was he a hockey
25 player?

1 A Yes, he's a hockey player.

2 Q Okay. So, when you say skating, he's in the
3 backyard --

4 A Skating, yes. Makeshift hockey rink in
5 somebody's backyard.

6 Q Okay. And at some point -- at some point with
7 relation to that, what, if anything, sort of caused you
8 to leave C.F. McCarthy's on that night?

9 A I received a phone call that my son was hit in
10 the face with a hockey stick and he lost his tooth.

11 Q And, so, upon receiving that call where did
12 you go?

13 A I went to go get him.

14 Q And do you recall about what time that was
15 that you left C.F. McCarthy's to go get him?

16 A I don't recall.

17 Q Now, from the group that you were with, as far
18 as yourself, Mr. O'Keefe, Ms. Read and Mr. Roberts,
19 who, if anyone, left first?

20 A I believe Curt.

21 Q And do you recall sort of how it was that Curt
22 left?

23 A Curt just got up and left.

24 Q So sort of an Irish goodbye --

25 A Irish goodbye, yes.

1 Q Is that something he's known for?

2 A Yes.

3 Q And about when was that in relation to when
4 you left?

5 A Not too soon after.

6 Q I'm sorry. Not too soon after or not too soon
7 before?

8 A I left after, probably like, say, 15 minutes
9 after Curt left.

10 Q Okay.

11 MR. LALLY: Now, with the Court's permission,
12 Your Honor, I'd just like to publish just two more
13 brief segments from this.

14 THE COURT: Okay.

15 MR. LALLY: So, Ms. Gilman, if I could direct
16 your attention to the fourth video and if I could
17 ask you to forward it to about 19 minutes and 40
18 seconds and if you could play it from there.

19 (Whereupon, the video was being played.)

20 MR. LALLY: And, Ms. Gilman, if I could ask
21 you to just pause it there for one second.

22 (Whereupon, the video was paused.)

23 BY MR. LALLY:

24 Q Now, Mr. Camerano, looking at the surveillance
25 video here and both from your memory of that night,

1 you see Mr. O'Keefe speaking to another gentleman; is
2 that correct?

3 A Yes.

4 Q And do you know who that person is?

5 A Yes.

6 Q And who is that person?

7 A Sully.

8 Q And do you know his first name or anything
9 beyond just Sully?

10 A Sully. I don't know his first name.

11 Q And how is it that you -- how is it that you
12 know him?

13 A Our kids play baseball with his son.

14 Q So, in addition to your son playing baseball
15 with Mr. O'Keefe's nephew, Mr. Roberts, does he have a
16 son that's around the same age?

17 A Correct.

18 Q And this individual, Sully, he has a child
19 that plays baseball with the three of your kids?

20 A Correct.

21 Q Is that someone that you had contacted to meet
22 there or he just happened to be there?

23 A He just happened to be there.

24 MR. LALLY: Ms. Gilman, if you could just hit
25 play again and just run it from that 20 minute

1 mark?

2 (Whereupon, the video was played.)

3 MR. LALLY: Now, Ms. Gilman, if you could move
4 that forward again to 24 minutes and 10 seconds and
5 if you could just let this run until about 24
6 minutes and 20 seconds, so just about 10 seconds or
7 so.

8 (Whereupon, the video was played.)

9 BY MR. LALLY:

10 Q So, Mr. Camerano, did you see yourself in that
11 portion of the video?

12 A Yes.

13 Q And do you know what you were doing at that
14 time?

15 A Leaving.

16 Q And, so, prior to leaving had you sort of
17 settled up a tab or something?

18 A Yes, I picked up the tab.

19 Q And then you left and went to get your son;
20 correct?

21 A Correct.

22 MR. LALLY: Ms. Gilman, you can take that
23 down, please.

24 BY MR. LALLY:

25 Q Now, Mr. Camerano, you left there and went to

1 pick up your son; is that correct?

2 A Yes.

3 Q And following picking up your son, where did
4 you go from there?

5 A Back to John's house.

6 Q And why did you go back to John's house at
7 that time?

8 A My daughter was there, picking her up.

9 Q So you went to pick up your daughter?

10 A Correct.

11 Q And do you recall approximately what time that
12 was?

13 A 11:00.

14 Q And, when you came back to the residence of
15 One Meadows, you parked in the driveway again?

16 A Correct.

17 Q And did you physically sort of go in the house
18 to pick up your daughter?

19 A No, I didn't. No, I did not.

20 Q Now, as far as from the time that you -- it's
21 from the time that you left with Mr. O'Keefe to
22 C.F. McCarthy's versus the time that you came back.
23 Anything change as far as position of Mr. O'Keefe's
24 car?

25 A No.

1 Q What, if anything, did you note as far as the
2 garage doors were concerned or any damage or anything
3 like that?

4 A Everything looked normal.

5 MR. LALLY: And, Your Honor, with the Court's
6 permission, I would seek to just publish another
7 video or two from Exhibit 6.

8 THE COURT: Okay.

9 MR. LALLY: And at this time, Ms. Gilman, if I
10 could have from the driveway again Video 152?
11 (Whereupon, the video was played.)

12 MR. LALLY: And, Ms. Gilman, you can stop
13 there.

14 (Whereupon, the video was paused.)

15 BY MR. LALLY:

16 Q Now, from that video, 152, that was just up on
17 the screen, sir, can you describe for the jury just as
18 sort of what was going on in that video?

19 A I was picking up my daughter, [REDACTED]. And
20 my son --

21 Q You were with your son?

22 A Yes. All three of us.

23 Q Okay. And where did you go from there?

24 A Home.

25 Q And when you got home -- well, let me ask you

1 this first. During the time that you were at
2 C.F. McCarthy's, you obviously -- I'm assuming at some
3 point -- you didn't do an Irish goodbye?

4 A No.

5 Q Okay. So at some point you indicated to
6 Mr. O'Keefe and/or Ms. Read that you were leaving to go
7 pick up your son?

8 A Yes.

9 Q And what, if any, indication did they give to
10 you as far as where they were going or what were their
11 intentions for the rest of the evening?

12 A They were heading either across the street or
13 to the Hillside.

14 Q And, when you say "across the street," what,
15 if anything, was across the street?

16 A There's another barroom.

17 Q Is that the Waterfall?

18 A The Waterfall, yes.

19 Q Are you familiar with that establishment as
20 well?

21 A Yes.

22 Q And where is that in relation to
23 C.F. McCarthy's?

24 A Across the street, to the left, if you were
25 coming out of C.F. McCarthy's.

1 Q Walking distance; is that correct?

2 A Correct.

3 Q And you leave, you get your son, you pick up
4 your daughter at Mr. O'Keefe's house, and then you go
5 home; correct?

6 A Correct.

7 Q And, when you get home, about how much longer
8 were you up before you went to bed?

9 A I wasn't up much longer.

10 Q And, when you typically go to bed, what, if
11 anything, do you do with your phone?

12 A Put them on a charger.

13 Q Where is the charger located in reference to
14 the bed?

15 A In the kitchen.

16 Q And, following to the next day, about what
17 time is it that you wake up on the 29th?

18 A 6:00. 5:30, 6:00 a.m.

19 Q Okay. And what was it that woke you up, if
20 you know?

21 A Phones ringing.

22 Q And how many phones do you have?

23 A Two.

24 Q And potentially one personal, one work; is
25 that correct?

1 A Correct.

2 Q Okay. And were both phones ringing or one
3 ringing?

4 A One phone at that time.

5 Q And was that your work or your personal?

6 A My personal phone.

7 Q And you get up. You hear that. You look at
8 your phone. What, if anything, do you see on the
9 screen to the phone?

10 A I see a lot of missed calls, a bunch of missed
11 calls from Karen and missed calls from my wife's work.

12 Q And, when you say "missed calls," are we
13 talking about one call, several calls?

14 A Several calls.

15 Q Any voicemails that you recall associated with
16 those calls?

17 A I don't recall.

18 Q So based on sort of making that observation of
19 the missed calls, what do you do at that point?

20 A I pick up the phone and call my wife.

21 Q And what, if anything, did you learn from your
22 wife at that time?

23 A My wife said to me that John --

24 MR. JACKSON: Objection.

25 THE COURT: Sustained.

1 MR. LALLY: Your Honor, may we approach?

2 THE COURT: Okay.

3 (Whereupon, there was a sidebar conference as
4 follows:)

5 MR. LALLY: So, Your Honor, I'm not seeking
6 this for the truth of the matter asserted,
7 essentially, the impact on Mr. Camerano. So he
8 gets a call from his wife, which would have been
9 the case that she got a call from the defendant,
10 didn't know where John was. So based on that, he
11 was then directed by his wife to go to Meadows Ave.
12 and pick up [REDACTED].

13 His wife, who is the very next witness, will
14 testify to that, as well. So I don't know what the
15 harm is as far as him summarizing in general why he
16 went to One Meadows Ave. particularly.

17 MR. JACKSON: Based on that, I don't have any
18 objection.

19 THE COURT: Okay.

20 (Whereupon, the sidebar conference concluded.)

21 BY MR. LALLY:

22 Q Mr. Camerano, you call your wife and what, if
23 anything, is it in general that she tells you?

24 A She tells me that John didn't come home last
25 night.

1 Q And she's still at work at this point; is that
2 correct?

3 A Correct.

4 Q And did she indicate to you how she came to
5 find that out?

6 A She said she received phone calls.

7 Q From whom did she --

8 A From Karen.

9 Q From Karen. Okay.

10 And then, based on that, you have a
11 conversation with your wife about John's niece and
12 nephew; is that right?

13 A Yes. My wife says to me go get, go get

14 [REDACTED], [REDACTED] is home.

15 Q So at that time your wife tells you that

16 [REDACTED] is home at Meadows Ave. by herself?

17 A Yes.

18 Q And, so, based on that information what is it
19 that you do next?

20 A I realize that [REDACTED] is home alone, so I
21 throw some clothes on, go out to the car, clean the car
22 off real quick, and get in the car and go.

23 Q When you say "clean the car off real quick,"
24 what, if anything, did you have to clean off?

25 A I cleaned the snow off the front windshield.

1 Q And, again, you sort of drive over to John's
2 house to get [REDACTED]?

3 A Correct.

4 Q And, when you get there, do you pull in the
5 driveway as well?

6 A Yes.

7 Q And, when you get to John's house and you pull
8 in the driveway, what, if anything, did you observe
9 about sort of the condition of the garage doors at that
10 point?

11 A When I pulled in, I could tell the door, the
12 garage door was open, left open.

13 Q Which one? The one to the right or to the --

14 A The one to the right.

15 Q And do you go inside that door?

16 A I do.

17 Q And what, if anything, did you do once you
18 went inside?

19 A Once I went inside, I saw [REDACTED]. I asked
20 [REDACTED] get whatever she needed and to come and get in
21 the car. While she was doing that, I started clearing
22 some snow. I thought maybe the snow hit the sensors so
23 that the door couldn't go down.

24 Q And, so, you start clearing the snow with a
25 shovel?

1 A With the shovel that was in the garage, yes.

2 Q And after you had cleared some of the snow
3 with the shovel, what did you do with regard to the
4 doors at that point?

5 A So I tried to put them down. It wouldn't go
6 down. Then I asked [REDACTED], I think, to reenter the
7 code to see if she could get the doors to go down. The
8 doors would not go down, the door.

9 Q And at some point did you -- how did you get
10 the --

11 A So I manually -- there's a red rope. I
12 manually pulled that, shut the door, locked the doors.
13 There's two side locks on the garage door. And I went
14 out through the side garage door.

15 Q Now, when you arrived at the residence and you
16 pulled into the driveway, do you recall how many
17 vehicles were in the driveway when you got there?

18 A Yes.

19 Q And how many?

20 A Two.

21 Q And whose vehicles were they?

22 A John's and Karen's.

23 Q And, John's vehicle, was that -- where was
24 that in relation to the last time that you saw it when
25 you picked up your daughter there?

1 A The same spot.

2 Q And, as far as the defendant Ms. Read's
3 vehicle, where was that in relation to the garage or in
4 relation to the driveway?

5 A It was pulled in on the left side, all the way
6 in.

7 Q And, so, in the area of the garage door that
8 you were just speaking about?

9 A Correct.

10 Q And at that time did you look at the vehicle
11 or touch the vehicle in any way?

12 A No. No.

13 Q Fair to say that your focus was sort on the
14 garage door and the fact that it was open; correct?

15 A Correct.

16 Q And why was that? It may be self-evident, but
17 why was your focus on the garage door?

18 A Because I figured John would go crazy when he
19 came home and all the snow was in his garage.

20 Q Now, at any point in time when you initially
21 got the call from your wife did you yourself reach out
22 to John at any point?

23 A I did not.

24 MR. LALLY: Your Honor, if I may, I would just
25 seek to publish a few more videos from Exhibit 6,

1 the driveway Ring.

2 THE COURT: Okay.

3 MR. LALLY: And, Ms. Gilman, if I could have
4 from those first starting with Video 155. And,
5 essentially, it's going to go 155 through 158.

6 If you could pause that, please.

7 (Whereupon, the video was played and paused.)

8 BY MR. LALLY:

9 Q And, Mr. Camerano, you recognize what's up on
10 the screen again?

11 A Yes. My car.

12 Q And is this sort of when you're pulling in to
13 get [REDACTED]?

14 A Correct.

15 Q And using the laser pointer before you again,
16 if you could direct the jury's attention to where you
17 observed Ms. Read's vehicle?

18 A (Indicating.)

19 Q And is that essentially, from what you
20 observed there, that's where it was the entirety of the
21 time that you were there?

22 A Yes.

23 Q So nobody else came to the home during the
24 time that you were there to pick up [REDACTED] and
25 shoveling out the snow from the garage?

1 A No.

2 MR. LALLY: Ms. Gilman, if you could just run
3 it through?

4 (Whereupon, the video was played.)

5 MR. LALLY: And, Ms. Gilman, if you could play
6 the next video, 156?

7 (Whereupon, the video was played.)

8 MR. LALLY: Ms. Gilman, play Video 157.

9 (Whereupon, the video was played.)

10 MR. LALLY: And lastly, Ms. Gilman, Video 158.

11 (Whereupon, the video was played.)

12 MR. LALLY: Ms. Gilman, you can take that
13 down.

14 BY MR. LALLY:

15 Q And, so, Mr. Camerano, what was just in those
16 last four videos that were played before the jury, is
17 that essentially the process that you were describing
18 as far as yourself and [REDACTED] trying to get the garage
19 door down?

20 A Correct.

21 Q And, so, you leave from there and go back to
22 your house; is that correct?

23 A Yes.

24 Q And where do sort of you and [REDACTED] go once
25 you get inside?

1 A We go into the house. We're in the kitchen in
2 my house. And I get my daughter up.

3 Q And your daughter then sort of hangs out with
4 [REDACTED] for a period of time?

5 A Correct. They go downstairs and they're
6 hanging out.

7 Q And at some point in time how does [REDACTED]
8 leave your house, or where does she go from there?

9 A I take [REDACTED] home.

10 Q And why is it that you take [REDACTED] home?
11 About what time is it, if you know?

12 A I don't know what time. Paul had called me.

13 Q By "Paul," who do you mean?

14 A Paul O'Keefe, John's brother.

15 Q And he informed you that John passed?

16 A Yes.

17 Q So you took [REDACTED] to the house on Meadows
18 Ave. to be with her family; is that correct?

19 A Yes.

20 MR. LALLY: Thank you very much, sir.

21 I have nothing further, Your Honor.

22 THE COURT: Mr. Jackson.

23 CROSS-EXAMINATION

24 BY MR. JACKSON:

25 Q Mr. Camerano, just a few questions. You and

1 your wife did spend a lot of time with John O'Keefe and
2 Karen Read as a couple; correct?

3 A Decent amount, yes.

4 Q Would you consider John one of your best
5 friends?

6 A A good friend.

7 Q In fact, you were close enough that your
8 children spent a lot of time with John O'Keefe and
9 Karen Read as a couple and their kids; correct?

10 A Correct.

11 Q In fact, isn't it true that sometimes they
12 would even vacation together with Mr. O'Keefe and
13 Ms. Read?

14 A Correct.

15 Q It was a trusting relationship that you had
16 with both Mr. O'Keefe and Ms. Read, to put your kids in
17 their care?

18 A Correct.

19 Q You mentioned this wonderful news about your
20 kids, your daughter getting into this great school. I
21 think it was called Bishop?

22 A Bishop Feehan, yes.

23 Q Okay. Before the acceptance there was
24 actually sort of a process, like an open house that you
25 needed to take the kids to; correct?

1 A Yes.

2 Q You took your daughter; right?

3 A I don't recall.

4 Q Do you remember being at an open house, a tour
5 of Bishop, with Karen Read and John O'Keefe and John's
6 niece?

7 A I do recall being in an auditorium, I do.

8 Q Yeah, a big auditorium, big tour of the
9 school?

10 A Yes.

11 Q In hopes of all the kids getting in?

12 A Yes.

13 Q Okay. To make sure it's the right fit for the
14 kids?

15 A Correct.

16 Q And Karen was there sort of as a --

17 A She was.

18 Q -- matriarch for John's niece?

19 A Yes.

20 Q Okay. Your daughter spent a lot of time just
21 with Karen, Ms. Read?

22 A Correct.

23 Q Running errands, going to Ms. Read's house,
24 having Ms. Read care for her?

25 A Correct.

1 Q And you had no issues with that?

2 A No.

3 Q Because you liked Karen? You liked Ms. Read?

4 A Correct.

5 Q It was probably, did you say, once a week that
6 you would hang out with and socialize with Ms. Read and
7 Mr. O'Keefe?

8 A Yes.

9 Q So you got to know them not just individually
10 but as a couple together; correct?

11 A Yes.

12 Q You saw them on most Friday nights; right?

13 A Correct.

14 Q You never saw them argue or fight?

15 A Argue.

16 Q As a matter of fact, one time you were asked
17 about this in front of a grand jury and you said, "I
18 wouldn't even call it bickering. They would just
19 banter together."

20 A I guess so, yes.

21 Q You never heard Mr. O'Keefe complain about
22 Ms. Read or vice versa?

23 A No. I did hear him complain about, like, when
24 he would -- when Karen would buy like very nice things
25 for the kids. Like, he wouldn't like that, stuff like

1 that, or take the kids to get their nails done, or
2 something like that.

3 Q So maybe spoiling the children a little bit?

4 A Yes. Yes.

5 Q Certainly nothing to suggest that there was
6 any abuse or anything like that. It was just, as a
7 matter of fact, the opposite?

8 A Correct.

9 Q Mr. O'Keefe had an idea about how to raise
10 children that was maybe a little bit more modest than
11 Ms. Read did?

12 A Correct.

13 Q So you described earlier at another hearing,
14 you described a situation in which Ms. Read got a very
15 expensive sweater for Mr. O'Keefe's niece?

16 A Correct.

17 Q And Mr. O'Keefe's response was, well, I wish
18 she hadn't done that, that's spoiling that little girl?

19 A Yes.

20 Q All right. You would agree there are worse
21 things in the world than spoiling a child?

22 A Correct.

23 MR. LALLY: Objection.

24 THE COURT: I'll let it stand.

25 BY MR. JACKSON:

1 Q You never heard Mr. O'Keefe even hint at the
2 idea of breaking up with Ms. Read?

3 A Not that I can recall.

4 Q I want to turn your attention to January 28th,
5 if I could. We saw a video, and you explained what was
6 happening in the video, where some cars were being
7 jostled around. That was Mr. O'Keefe actually moving
8 his car to facilitate Ms. Read bringing her car over to
9 his house, to put it in the garage; correct?

10 A Yes.

11 Q Kind of a chivalrous thing to do for your
12 loved one?

13 A Yes.

14 Q Didn't want her to be out in the snow if it
15 was going to be a heavy snow; is that right?

16 A Correct.

17 Q And the idea was that even that weekend he
18 intended that Ms. Read would likely be with him and the
19 family for the entirety of the weekend during that
20 blizzard?

21 A Correct.

22 Q So she'd have a nice warm place and a dry
23 place to put her car?

24 A Yes.

25 Q Okay. You saw a video that Mr. Lally played

1 for you of the moment -- there were several videos, but
2 I want to direct your attention, your memory to the
3 video of when Ms. Read actually made her way into
4 McCarthy's.

5 A Yes.

6 Q You have that scene in your mind?

7 A Yes.

8 Q You saw in the video when Ms. Read actually
9 walked into the location how Ms. Read and Mr. O'Keefe
10 greeted each other --

11 MR. LALLY: Objection.

12 THE COURT: I'll allow it.

13 BY MR. JACKSON:

14 Q -- correct?

15 A Yes.

16 Q It appeared that that was quite an
17 affectionate greeting; would you agree?

18 MR. LALLY: Objection.

19 THE COURT: Do you agree with that?

20 A They kissed, yeah.

21 Q Would you consider a kiss affectionate?

22 A Yes.

23 Q They hugged each other; correct?

24 A I don't recall.

25 Q Mr. O'Keefe put his right arm out and Ms. Read

1 sort of nestled into his embrace?

2 A Okay.

3 Q And that's when he kissed her?

4 A Yes.

5 Q Okay. They seemed happy to see each other?

6 A Yes.

7 Q You didn't observe while you were at
8 C.F. McCarthy's with them, you didn't observe any
9 arguing or bickering between the two of them?

10 A No.

11 Q As a matter of fact, they were sort of the
12 normal, affectionate, laughing, happy couple that you
13 were used to seeing; correct?

14 A Yes.

15 Q There didn't seem to be any tension between
16 them at C.F. McCarthy's; is that right?

17 A Not that I recall.

18 Q All right. I'm going to just ask a couple of
19 more questions. During the span of time that you knew
20 them to be together, would you describe their
21 relationship as being normal and caring?

22 MR. LALLY: Objection.

23 THE COURT: I'll sustain that.

24 BY MR. JACKSON:

25 Q I want to just draw your attention to the

1 month before Mr. O'Keefe's passing. Would you describe
2 their relationship to be normal as far as you knew it
3 to be?

4 A Yes.

5 Q And on the day before Mr. O'Keefe's passing
6 would you describe their interactions to be normal and
7 caring and affectionate?

8 A Yes.

9 MR. JACKSON: That's all I have, Your Honor.

10 Thank you.

11 THE COURT: Okay. Anything, Mr. Lally?

12 MR. LALLY: No redirect, Your Honor.

13 THE COURT: All right. Mr. Camerano, thank
14 you very much. You are all set, sir.

15 (Whereupon, the witness is excused.)

16 THE COURT: Jurors, why don't we take our
17 morning recess. We'll take 15-20 minutes.

18 (Whereupon, the jury was escorted from the
19 courtroom.)

20 (Whereupon, the defendant was escorted from the
21 courtroom and a recess was taken at 10:52 a.m.)

22 (Court resumes at 11:18 a.m.)

23 (Defendant present. Jury present.)

24 THE COURT: Your next witness, please,
25 Mr. Lally.

1 MR. LALLY: Yes, Your Honor. The Commonwealth
2 would call Ms. Katherine Camerano.
3 Whereupon,

4 KATHERINE CAMERANO
5 having been first duly sworn, was examined and
6 testified as follows:

7 THE COURT: Okay. Whenever you're ready,
8 Mr. Lally.

9 MR. LALLY: Thank you, Your Honor.

10 DIRECT EXAMINATION

11 BY MR. LALLY:

12 Q Good morning, ma'am.

13 A Good morning.

14 Q Could you please state your name and spell
15 your last name for the jury?

16 A Katherine Camerano, C-A-M-E-R-A-N-O.

17 Q And where do you live, ma'am?

18 A Canton.

19 Q And how long have you lived in Canton?

20 A Probably since 2005, maybe. 20 years. 2005,
21 I think.

22 Q And who, if anyone, do you live in Canton
23 with?

24 A My husband, Michael, and my two children.

25 Q Okay. And how old are your children?

1 A Right now, 13 and 16.

2 Q And starting with the 16-year-old, is that a
3 boy or a girl?

4 A A girl.

5 Q And the 13-year-old, is that a boy or a girl?

6 A Boy.

7 Q And, as far as activities are concerned with
8 your kids, do they play sports or do they do other
9 sorts of activities?

10 A They play sports.

11 Q And which sports does your 16-year-old
12 daughter play?

13 A Currently, right now, softball.

14 Q And has she played any other sports in the
15 past?

16 A Yes. She played soccer, soccer. She played
17 hockey for a little bit. But mostly soccer and
18 softball.

19 Q And your 13-year-old son, what, if any, sports
20 did he play or does he play?

21 A Hockey and baseball.

22 Q Now, do you work, ma'am?

23 A I do.

24 Q And what do you do for work?

25 A I'm a nurse.

1 Q And how long have you been working as a nurse?

2 A Twenty-one years.

3 Q And your husband, does he work?

4 A He does.

5 Q And what does he do for work?

6 A He's a laborer.

7 Q And how long has he been doing that?

8 A Probably 25, maybe even 30 years, actually.

9 Q And how long have the two of you been
10 together?

11 A Married?

12 Q Married, yes.

13 A Twenty years. Twenty years. 2004.

14 Q Now, ma'am, if I could turn your attention to
15 January 28th, 2022, into January 29th of 2022. Do you
16 recall those couple of days?

17 A I do.

18 Q And do you recall what days of the week they
19 were?

20 A It was Friday, into Saturday night.

21 Q And starting with the Friday of the 28th, were
22 you working that day?

23 A I was working that night.

24 Q Okay. And sort of typically what kind of
25 shift do you work as a nurse?

1 A I work 7:00 p. to 7:00 a., nights, mostly
2 weekends.

3 Q So weekends would be sort of typically when
4 you'd be at work?

5 A Yes.

6 Q And around this time of January of 2022, when
7 you were at work do you know what sort of your husband
8 and your children would be doing typically on like a
9 Friday night?

10 A Friday night, they went to Johnny's house a
11 lot and the kids hung out, and they all just hung out
12 together on a Friday night.

13 Q Now, starting with Johnny, who you refer to,
14 you mean John O'Keefe; is that correct?

15 A Yes.

16 Q And how is it that you came to know
17 John O'Keefe?

18 A My husband got introduced to him. And then
19 the girls started hanging out probably 2018, fourth
20 grade, the boys around the same time, when he moved
21 around, when he moved to Meadows, probably around that
22 time.

23 Q So, Mr. O'Keefe, he had a niece and a nephew
24 of who he was a guardian; is that correct?

25 A Correct.

1 Q And he had a niece named (c) and a nephew
2 named (c); correct?

3 A Correct.

4 Q And they live with him; is that correct?

5 A Correct.

6 Q Now, with regard to his niece, (c), and
7 your daughter, how did they know each other?

8 A They first met on the soccer team, probably
9 soccer. Yes, they met soccer, fourth grade. It could
10 have been basketball. She played basketball when she
11 was that little, (c). Basketball team, fourth or
12 fifth grade. And then quickly by the fifth, sixth
13 grade they were like best friends, attached at the hip.

14 Q And, as far as Mr. O'Keefe's nephew, (c),
15 in relation to your son, were they the same age as
16 well?

17 A They were. They played baseball together.

18 Q And, outside of baseball, were they friendly
19 as well?

20 A Yes.

21 Q And, so, a typical Friday night would be you
22 were at work and your husband and the kids would go
23 over to Mr. O'Keefe's house?

24 A Correct.

25 Q You knew where Mr. O'Keefe's house was?

1 A Yes.

2 Q And where was that?

3 A On Meadows Ave.

4 Q And about how far away from your house was
5 Mr. O'Keefe's house on One Meadows Ave.?

6 A Maybe two miles, maybe.

7 Q So fairly short distance?

8 A Yes.

9 Q Now, with regard to this specific Friday
10 night, January 28th, you were at work. Do you know
11 what sort of the plan was with reference to the rest of
12 your family?

13 A (c) -- my son was going to a play with a
14 friend of his, a school play in the town, and Michael
15 was going to Johnny's with (c), my daughter, and
16 they were going to hang out there for the night. And
17 they were going to, Michael and Johnny, were going to
18 potentially go out.

19 Q Now, with reference to your daughter and
20 Mr. O'Keefe's niece, (c), what, if anything, around
21 -- well, specifically to that day, what, if anything,
22 was sort of going on with them and their school?

23 A They had just gotten into Bishop Feehan High
24 School that day.

25 Q And at this time in January of 2022 what grade

1 were they in at that point?

2 A They were in (c) They were going into
3 (c) that September.

4 Q And, so, they had been accepted to this
5 private school, Bishop Feehan, and got their acceptance
6 letters that day?

7 A Yup.

8 Q And what, if any, conversation do you recall
9 having with Mr. O'Keefe in reference to that on that
10 day?

11 A They were just really excited about it.
12 Everyone was really excited that they just got in.

13 Q Now, at some point -- well, beyond sort of --
14 if you could just sort of describe the nature of your
15 relationship, and, by "you," I'm using a plural as far
16 as you and your husband, with regard to Mr. O'Keefe?

17 A He was our friend. He was really good to me
18 and my kids.

19 Q And, as far as the kids were concerned, what,
20 if any, sort of interplay did you have with regard to
21 his kids and he have with regard to your kids?

22 A I worked weekends and he would take my kids to
23 sporting. I would do a lot of the stuff during the
24 week if I was around, the practices, and him and my
25 husband would always do the games. The kids used to

1 call them my two dads. It was like they had a lot of
2 time together. Like a well-oiled machine.

3 Q Now, through your friendship with Mr. O'Keefe,
4 at some point did you come to know someone by the name
5 of Karen Read?

6 A Yes.

7 Q And who was Karen Read in relation to
8 Mr. O'Keefe?

9 A She was his girlfriend.

10 Q And, just to be clear, when I'm talking about
11 Karen Read, do you see Ms. Read in the courtroom today?

12 A I do.

13 Q Would you just identify as to where she's
14 seated or an article clothing?

15 A She's right there (Indicating).

16 MR. LALLY: Your Honor, just ask the record to
17 reflect identification of the defendant by the
18 witness.

19 THE COURT: Yes.

20 BY MR. LALLY:

21 Q Now, with regard to the defendant, Ms. Read,
22 prior to this date of January 28th, 2022, about how
23 long had you known her?

24 A Whenever they started dating. Probably two
25 years. COVID, during COVID. Yeah, probably two years.

1 Q So sometime during the COVID pandemic you met
2 her?

3 A Yeah.

4 Q And, as far as you were aware, did she live
5 with Mr. O'Keefe and the children or did she have
6 somewhere else she lived?

7 A No. She had a house in Mansfield, but she
8 stayed at Meadows a lot.

9 Q And, so, during the course around this time of
10 January 2022, general time frame, about how often would
11 you see Mr. O'Keefe?

12 A Probably three days a week, I would say.

13 Q And sort of typically when you would see him,
14 would that be sort of at a game or at his house, your
15 house?

16 A Anything. Drop-off, pick up, his house,
17 games, anything.

18 Q Now, as far as Mr. O'Keefe and Ms. Read were
19 concerned with regard to you and your husband, what, if
20 any, socialization did you have sort of outside of the
21 kids?

22 A We went out to eat. We went to a comedy show.
23 I would socialize with them.

24 Q And about how often would you do that?

25 A Well, the kids were around mostly, but maybe a

1 few times. I feel like the kids were usually always
2 around.

3 Q Now, at some point did you become aware that
4 your husband and Mr. O'Keefe had gone out that evening?

5 A Yes.

6 Q And how did you become aware of that?

7 A I don't know. Either (c) told me or my
8 daughter told me. One of them told me. I forget who.

9 Q Okay. And do you know where your husband went
10 that night?

11 A I don't remember if he told me exactly where
12 he went.

13 Q And at some point you're still at work.
14 You're working an overnight; is that correct?

15 A Yes.

16 Q And the rest of your family, being your
17 husband and your kids, they came home at some point?

18 A They did.

19 Q And how do you know sort of when or how they
20 came home?

21 A I have an alarm on my house, so I know when
22 somebody opens the door. I can check at work. It
23 alerts me if the doors open, if the alarm is on, off,
24 who puts it on, who puts it off, like what doors are
25 open, when the alarm is rearmed. And I usually don't

1 allow sleep-overs, and even if I did, my husband would
2 have called me at work.

3 Q So fair to say there's a rule within your
4 house that sleep-overs don't happen unless you approve?

5 A Yeah.

6 Q Now, at some point -- I'm going to turn your
7 attention now to the morning of the 29th. At some
8 point while you were at work did you receive a call
9 from someone?

10 A Yes.

11 Q And who, if anyone, called you?

12 A Karen.

13 Q And about what time was that?

14 A Probably between 4:00 and 5:00.

15 Q And what, if anything, did the defendant say
16 to you when she called you around you 4:00 or 5:00 in
17 the morning?

18 A She was just screaming, "Where's Mike?
19 Where's Mike?"

20 Q And was that a typical sort of situation that
21 you would get a call from the defendant at that time?

22 A No. No, no. No, not at all.

23 Q And the screaming that you heard or the
24 phraseology of "Where's Mike?", is that something she
25 said once or more than once or something else?

1 A She just kept saying it. She just kept
2 saying, "Where is Mike?"

3 Q And what, if anything, did you say in response
4 to that?

5 A I was just trying -- I was just like hold on,
6 calm down. And, as I was doing it, I was rechecking
7 like the alarm. I said, "He's home. He's home with
8 the kids. Let me call him." And at some point I hung
9 up. I called my husband like, I don't know, it felt
10 like a hundred times.

11 Q Now, you're at work when you get this call; is
12 that right?

13 A Uh-hmm.

14 Q And do you recall sort of where you were, what
15 you were doing when you got the call?

16 A I was getting ready to draw like morning labs,
17 so I know it was between like 4:00 and 5:00 a.m.

18 Q As far as this sort of screaming as far as
19 "Where's Mike?", what, if anything, did the defendant
20 indicate as to why she was asking you that?

21 A John didn't come home.

22 Q And, from your knowledge of John O'Keefe, was
23 that something that was normal or no?

24 A No, no.

25 Q Now, during this sort of initial call with the

1 defendant, what, if anything, did you hear sort of in
2 the background of that call?

3 A That first call?

4 Q Yes.

5 A I don't think I heard anything in the back.

6 Q Is your memory exhausted as to that?

7 A Yeah. I don't remember it.

8 MR. LALLY: Your Honor, may I approach the
9 witness?

10 THE COURT: Yes.

11 BY MR. LALLY:

12 Q Ma'am, what I'm going to do is, I'm going to
13 place a document before you. I'm going to direct your
14 attention to this second paragraph on the page. If you
15 could just read that to yourself and just look up when
16 you're done.

17 A Okay. Yeah. --

18 Q Don't say anything further.

19 MR. LALLY: May I approach to retrieve, Your
20 Honor?

21 THE COURT: Yes.

22 BY MR. LALLY:

23 Q And, so, Ms. Camerano, after reading what I
24 just placed before you, is your memory refreshed as to
25 what, if anything, you heard in the background of that

1 initial call?

2 A Yes. I could hear [REDACTED] in the background.

3 Q Okay. And do you hang up on that call and
4 then what did you do then?

5 A Call Michael.

6 Q And at any point when you're calling Michael,
7 I think you said you felt like it was about 100 times,
8 did your husband, Michael, answer the phone --

9 A He never answered, no.

10 Q And, so, after you called your husband many
11 times and he didn't answer, what did you do then?

12 A I called either Karen's phone or [REDACTED]'s
13 phone back. I texted John, I think, twice. And then I
14 could -- whoever's phone I called, I could hear Jen in
15 the background, that someone had called Jen, too.

16 Q So you're speaking on the phone with either
17 the defendant or [REDACTED]; correct?

18 A Yeah.

19 Q And you could hear someone named Jen in the
20 background?

21 A Yeah, I could hear her in the background.

22 Q And, when you say you could hear someone like
23 Jen --

24 A Jen. I'm sorry.

25 Q No, no. So, just as far as Jen, who is that?

1 A Jen McCabe. She was one of [REDACTED]'s
2 basketball coaches, so I know her voice.

3 Q Heard her sort of voice on the sidelines
4 numerous times?

5 A Yup.

6 Q And did you know her personally at all?

7 A I knew her as [REDACTED]'s coach.

8 Q And at some point you were talking to [REDACTED]
9 on the phone; correct?

10 A Yes.

11 Q Okay. And what is it that you were saying to
12 [REDACTED] at that time?

13 A I was just saying to her is everybody okay.
14 And she said they're going to go out looking for him.
15 I think she said they were going to go out looking or
16 she went out, she's going to go out, no one knows where
17 he is. And then I think I like hung up with her. And
18 then at some point I maybe texted [REDACTED] or called.
19 And I said is she, is Karen out alone. And she said,
20 no, she's with Jen and Kerry. So I said, okay, as long
21 as they're not alone.

22 Q Now, this second phone call, you're talking to
23 [REDACTED] and you can hear the defendant talking to
24 Ms. McCabe; is that correct?

25 A Yes.

1 Q And do you hear one side of the conversation
2 or both sides of the conversation or something else?

3 A I don't really recall exactly. I don't. I
4 felt like it was just like a lot of like screaming,
5 like he's not home. I don't really recall a hundred
6 percent.

7 Q Okay. But as far as the screaming that you
8 heard, that's he's not home, do you recall who's voice
9 that was that you heard saying that?

10 A It was Karen.

11 Q And, beyond that, as far as the conversation
12 that you overheard, what, if anything, specific about
13 that conversation in addition to that do you recall?

14 A I don't.

15 Q And while these phone calls are going on,
16 again, you're at work; correct?

17 A Correct.

18 Q So what is it that you're doing sort of in
19 relation to your job while these phone calls are going
20 back and forth?

21 A I'm trying to like in between draw labs from
22 the patients and then I'm like going in the back room
23 texting or calling and then I'd go back out to the
24 desk, out to the patients.

25 Q Now, you mentioned that the defendant was sort

1 of screaming when she was talking to you on the phone
2 and when you heard her in the background when you were
3 talking to [REDACTED]?

4 A Yeah.

5 Q Could you describe sort of -- or how would you
6 describe sort of her, and, by "her," I mean the
7 defendant, demeanor while you heard her on the phone?

8 A She was just like frantically screaming, just
9 screaming "Where's Mike?".

10 Q Now, during this time you're sort of -- you're
11 working, you're dealing with patients, and you're going
12 back and forth between patients and the phone?

13 A Uh-hmm.

14 Q And, in addition to speaking on the phone with
15 the defendant and then with [REDACTED], who, if anyone
16 else, did you reach out to or did you talk to that
17 morning?

18 A I talked to Kerry Roberts in the morning at
19 some point. I don't know if I called her or she called
20 me. And she said that, I think, that he was going to
21 the hospital. And then I called my husband and told
22 him that [REDACTED] was home alone and that he should go
23 get her because she was at the house alone.

24 Q And is it your understanding that your
25 husband, Michael, then went to Meadows to pick up

1 [REDACTED]?

2 A Uh-hmm.

3 THE COURT REPORTER: Is that "yes," ma'am?

4 THE WITNESS: Yes. Sorry.

5 BY MR. LALLY:

6 Q Now, you mentioned that at some point you
7 spoke to Kerry Roberts; is that correct?

8 A Yes.

9 Q And how do you know Kerry Roberts?

10 A I've known her since high school.

11 Q And as far as you grew up in the same town; is
12 that correct?

13 A No. I was friends with her cousin, so I had
14 known her. I've always known her. I've been friends
15 with her for a while.

16 MR. LALLY: I'm sorry. Just one moment, Your
17 Honor?

18 THE COURT: Sure.

19 MR. LALLY: May I approach the witness, Your
20 Honor?

21 THE COURT: Yes.

22 BY MR. LALLY:

23 Q Ma'am, I'm going to show you what's been
24 previously marked as Exhibit 48.

25 MR. LALLY: Before I do that, I just need to

1 show counsel what I'm showing.

2 MR. LALLY: May I approach, Your Honor?

3 THE COURT: Yes.

4 BY MR. LALLY:

5 Q I'm showing you what's been marked as Exhibit
6 48. Specifically, I'm on page 22. With respect to
7 that box, the white box towards the top of the page, do
8 you see a listing as sort of participants of that
9 conversation?

10 A Yes.

11 Q And that's a text conversation?

12 A Yes.

13 Q And who is sort of listed as the participants
14 within that conversation?

15 A Katie Camerano and J.J.

16 Q And is J.J. another sort of name or nickname
17 for John O'Keefe?

18 A Yeah.

19 Q Okay. And the content -- essentially, there's
20 two blue bubbles on the bottom of that page; is that
21 correct?

22 A Correct.

23 Q And do you recognize the content of those
24 bubbles?

25 A Yes.

1 Q And what do you recognize those to be?

2 A My text messages to him.

3 Q So those are the text messages that you just
4 testified about as far as sending to John that morning?

5 A Correct.

6 Q And both of them are from you with no response
7 from Mr. O'Keefe?

8 A Correct.

9 Q And about what time are the two text messages
10 sent to Mr. O'Keefe according to that document?

11 A 5:10.

12 Q Thank you.

13 MR. LALLY: May I approach just to retrieve,
14 Your Honor?

15 THE COURT: Yes.

16 BY MR. LALLY:

17 Q Now, Ms. Camerano, you had mentioned in your
18 testimony that you had some phone calls or
19 conversations with Ms. Read on the morning of
20 January 29th; correct?

21 A Correct.

22 MR. LALLY: May I approach again, Your Honor?

23 THE COURT: Yes.

24 BY MR. LALLY:

25 Q I'm showing you another document, ma'am. I'd

1 just ask that you look at that and look up when you're
2 finished.

3 A Yup.

4 Q And that document, do those seem to reflect
5 the calls that you had between yourself and the
6 defendant, Ms. Read, on that morning, the 29th?

7 A Yes.

8 MR. JACKSON: Objection, Your Honor. May we
9 approach?

10 THE COURT: Sure.

11 Could I please see that, Ms. Camerano?

12 THE WITNESS: Sure.

13 THE COURT: Thank you.

14 (Whereupon, there was a sidebar conference as
15 follows:)

16 THE COURT: I just want to know what this is
17 before I hear your objection. What is this?

18 MR. LALLY: Sure. So this is a portion of the
19 extraction report of the defendant's phone, and
20 these essentially are the phone calls. So what I
21 did is sort of parse out on the extraction report
22 just the phone calls between the defendant and
23 Ms. Camerano from the 29th.

24 MR. JACKSON: I have no objection to the fact
25 of the phone calls. I just think she's the wrong

1 witness. She's never seen a Cellebrite extraction
2 before. I just don't think that this can be used
3 unless it refreshes her recollection that she
4 independently relied on --

5 THE COURT: Has she seen this before?

6 MR. LALLY: Yes.

7 THE COURT: So my guess is now she will
8 recognize that.

9 MR. JACKSON: I think you may be right. Okay.

10 THE COURT: Okay? So we'll try that.

11 (Whereupon, the sidebar conference concluded.)

12 BY MR. LALLY:

13 Q And, so, Ms. Camerano, from that document,
14 does that seem to be the phone calls and the timing of
15 the phone calls between yourself and Ms. Read that
16 morning?

17 A Okay. Yes.

18 MR. LALLY: May I approach again, Your Honor?

19 THE COURT: Yes.

20 MR. LALLY: The Commonwealth would seek to
21 introduce and admit as the next exhibit.

22 THE COURT: Any objection, Mr. Jackson?

23 MR. JACKSON: Not at this time, no.

24 (One-page extraction report of communication
25 between Karen Read and Katie Camerano was entered

1 and marked as Exhibit No. 51 in Evidence.)

2 THE COURT REPORTER: Exhibit 51.

3 BY MR. LALLY:

4 Q I'm returning that to you, which has now been
5 marked as Exhibit 51.

6 MR. LALLY: Your Honor, with the Court's
7 permission, I would request to publish that to the
8 jury on the screen.

9 THE COURT: Okay.

10 MR. LALLY: And, I'm sorry, Ms. Gilman, if you
11 could, please, just see if you can enlarge that
12 just a little bit more.

13 THE COURT: Mr. Lally, keep your voice up and
14 step aside so the jurors can see, please.

15 MR. LALLY: Yes.

16 BY MR. LALLY:

17 Q Just before we get to what's up on the screen,
18 is that what you have before you as Exhibit 51?

19 A Yes.

20 Q Okay. Now, Ms. Camerano, starting as far as
21 the order of these, do you see sort of "to" and "from"
22 and sort of day times on there?

23 A Yes.

24 Q And does it appear as if the earlier times are
25 sort of towards the bottom and then it goes on in time

1 and chronology towards the top?

2 A Yes.

3 MR. LALLY: Ms. Gilman, if you could scroll to
4 sort of the bottom across?

5 BY MR. LALLY:

6 Q Now, with reference to -- essentially there
7 are six boxes; am I correct on that?

8 A Correct.

9 Q And, with regard to Box 6, if you could just
10 tell the jury sort of --

11 A It says, 1/29/2022, 4:49 a.m. To
12 Katie Camerano. Answered. Two minutes and 51 seconds.

13 Q And the box above that, No. 5?

14 A From: It looks like I called her at 4:56 on
15 1/29 for two minutes and 57 seconds. Answered.

16 Q And the box above that, No. 4, please?

17 A I called her 5:00 a.m. Two minutes and four
18 seconds. Answered. And then I called her again at
19 5:32 for eight seconds. That was answered. And then I
20 called her again at 5:34. It was missed. 5:34 was
21 missed. And then I called her again at 6:44 and 49
22 seconds, and that was not answered.

23 Q Thank you.

24 MR. LALLY: May I approach just to retrieve,
25 Your Honor?

1 THE COURT: Yes.

2 MR. LALLY: You can take that down,

3 Ms. Gilman. Thank you.

4 BY MR. LALLY:

5 Q Now, with respect -- Ms. Camerano, is your
6 testimony that in addition to the phone calls that you
7 had with the defendant you also had some texts back and
8 forth that morning as well?

9 A Correct.

10 MR. LALLY: And, Your Honor, may I approach?

11 THE COURT: Yes.

12 BY MR. LALLY:

13 Q Ms. Camerano, I'm showing you a document,
14 asking if you could just take a look at that and look
15 up when you're finished.

16 A Yup.

17 Q And do you recognize what's in that document?

18 A Yes.

19 Q And what do you recognize it to be?

20 A It's my texts to Karen.

21 Q And, with respect to the sort of first page of
22 that, is there also, similar to the ones I showed you
23 with regard to Mr. O'Keefe, is there a listing as far
24 as the participants in that conversation?

25 A Yes.

1 Q And who does it state?

2 A It's Karen Read and Katie Camerano.

3 MR. LALLY: Your Honor, may I approach again?

4 THE COURT: Yes.

5 MR. LALLY: The Commonwealth is seeking to
6 introduce it as the next exhibit.

7 THE COURT: No objection, Mr. Jackson?

8 MR. JACKSON: No objection, Your Honor.

9 (Whereupon, extraction report of text messages
10 between Karen Read and Katie Camerano was entered
11 and marked as Exhibit No. 52 in Evidence.)

12 THE COURT REPORTER: Exhibit 52.

13 BY MR. LALLY:

14 Q Ms. Camerano, returning what's now been marked
15 as Exhibit 52 --

16 MR. LALLY: And, Your Honor, with the Court's
17 permission, I would seek to publish this on the
18 screen for the jury as well.

19 THE COURT: You may.

20 BY MR. LALLY:

21 Q Now, Ms. Camerano, if I could direct your
22 attention to sort of the content of this. Essentially,
23 there's blue bubbles and green bubbles; is that
24 correct?

25 A Correct.

1 Q And is there an indication on there as far as
2 who the message is from and who the message is to?

3 A The blue bubbles would be me texting Karen.

4 Q And, if you could, starting with the first
5 bubble on page 1, if you could just describe to the
6 jury, and we'll sort of go through it, as far as who
7 the text is from and the content of it.

8 A That's from me. I'm asking Karen, "Are you
9 okay?"

10 MR. LALLY: And, Ms. Gilman, if you could
11 scroll down?

12 BY MR. LALLY:

13 Q And this next bubble?

14 A "Go back home so you're safe with [REDACTED].
15 He'll end up home. I bet he's on someone's couch."

16 Q And the next bubble down, Ms. Camerano?

17 A "What's going on, Karen?"

18 MR. LALLY: And if you could scroll down a
19 little further, Ms. Gilman?

20 A "I'm driving around with Kerry and Jen."

21 Q And this is a text that you received from
22 Ms. Read to yourself?

23 A Yes.

24 Q And is there a time on that associated with
25 when that text was sent?

1 A 5:53, does it say?

2 Q 5:53 a.m.; is that correct?

3 A 5:53, yes.

4 MR. LALLY: Ms. Gilman, if you could scroll
5 down to the next message?

6 A "Okay. Is one of them driving?"

7 Q And, just to be clear, this is you texting --

8 A I'm texting Ms. -- I'm texting Karen, yes.

9 "Is one of them driving?"

10 Q And why were you texting that or why were you
11 concerned about that?

12 A Because she was so hysterical, I didn't want
13 to her driving.

14 MR. LALLY: And, Ms. Gilman, if you could
15 scroll down to the next message?

16 BY MR. LALLY:

17 Q And what, if any, response did you receive
18 from Ms. Read?

19 A "Yes."

20 MR. LALLY: And, Ms. Gilman, if you could
21 scroll down to the next?

22 A And I said, "Okay. Keep me posted."

23 MR. LALLY: Ms. Gilman, if you could scroll
24 down to the next one, please.

25 A "At his brother's or mom's? or the station he

1 works at."

2 Q In both of those messages, about what time
3 were those sent?

4 A 6:00 a.m.

5 Q And what, if any --

6 MR. LALLY: Ms. Gilman, if you could scroll
7 down?

8 BY MR. LALLY:

9 Q And then what, if any, response did you
10 receive from the defendant, Ms. Read, following those
11 texts?

12 A (As read) "I don't think so. His bro is in
13 West Bridgewater, W. Bridgewater."

14 MR. LALLY: And, Ms. Gilman, if you could
15 scroll down again?

16 BY MR. LALLY:

17 Q And the next message, ma'am?

18 A "Re: I'm sorry. I'm just brainstorming."

19 Q And the next green bubble, ma'am?

20 A "It's okay."

21 Q And the blue bubble below that?

22 A "Any luck?"

23 Q And that was a text you sent at approximately
24 what time, ma'am?

25 A 6:34.

1 MR. LALLY: And, Ms. Gilman, if you could
2 scroll down to the next one?

3 BY MR. LALLY:

4 Q And what was Ms. Read's response?

5 A "He's dead."

6 Q And, again, what time did you receive that
7 text message from Ms. Read?

8 A 6:34.

9 MR. LALLY: Ms. Gilman, if you could scroll
10 down again?

11 A "What? Karen, are you serious?"

12 Q And that's a blue bubble, your response to her
13 last statement?

14 A Yes.

15 MR. LALLY: And, Ms. Gilman, please scroll
16 down again.

17 A And then, "Karen, do you have any idea where
18 he is or did you find him?"

19 MR. LALLY: And, lastly, Ms. Gilman, if you
20 could scroll one more time?

21 A "He was in the snow."

22 Q And that last message that you received, what
23 time was that?

24 A That was at 6:36.

25 MR. LALLY: And, Ms. Gilman, you can take that

1 down. And, Mr. Officer, if you could put the
2 lights back on. Thank you.

3 BY MR. LALLY:

4 Q Now, following that text message, the last one
5 about 6:34 a.m., what, if any other, communication did
6 you have with the defendant that morning?

7 A Nothing.

8 Q What, if any other, communication did you have
9 with the defendant since then?

10 A None.

11 Q Now, as far as any of the other people that
12 you spoke of as far as talking to that morning,
13 Ms. Roberts or [REDACTED], did you have any further
14 conversation with them in regard to what was going on?

15 A No.

16 MR. LALLY: If I may have just one moment,
17 Your Honor?

18 THE COURT: Yes.

19 MR. LALLY: Nothing further for this witness,
20 Your Honor.

21 THE COURT: All right. Cross-examination.

22 CROSS-EXAMINATION

23 BY MR. YANNETTI:

24 Q Hello, Ms. Camerano.

25 A Hi. How are you?

1 Q I'm good. I'm good.

2 To Mr. Lally's last point, after that series
3 of text messages that you had early in the morning on
4 January 29th of 2022, you said you didn't hear from
5 Ms. Read or didn't have any communication with her
6 after that; is that right?

7 A Yes.

8 Q Did you reach out to her text-message-wise?

9 A No.

10 Q Okay. Were you aware that her phone had
11 shortly been -- had been seized shortly thereafter from
12 her?

13 A No.

14 Q Okay. Thank you.

15 MR. YANNETTI: That's all I have, Your Honor.

16 THE COURT: All right. Ms. Camerano --

17 There's nothing else, Mr. Lally?

18 MR. LALLY: No, Your Honor.

19 THE COURT: Ms. Camerano, you are all set.

20 Thank you.

21 THE WITNESS: Thank you.

22 (Whereupon, the witness is excused.)

23 THE COURT: Your next witness, Mr. Lally?

24 MR. LALLY: Yes, Your Honor. The Commonwealth
25 would call Mr. Curt Roberts to the stand.

1 Whereupon,

2 CURT ROBERTS

3 having been first duly sworn, was examined and
4 testified as follows:

5 THE COURT: Whenever you're ready, Mr. Lally.

6 MR. LALLY: Thank you, Your Honor.

7 DIRECT EXAMINATION

8 BY MR. LALLY:

9 Q Good morning, sir.

10 A Good morning.

11 Q Would you please state your name and spell
12 your last name for the jury?

13 A Curt Roberts, R-O-B-E-R-T-S.

14 Q And where do you live, sir?

15 A Canton, Mass.

16 Q And how long have you lived in Canton?

17 A About twelve years now.

18 Q And who, if anyone, do you live in Canton
19 with?

20 A I live with my wife and two children.

21 Q And your wife, what is your wife's name?

22 A Kerry.

23 Q And how long have the two of you been married?

24 A We've been married 15 years.

25 Q And you mentioned you have two children; is

1 that correct?

2 A Yes.

3 Q And how old are your kids?

4 A My daughter is 14 and my son is 12.

5 Q And do you work sir?

6 A I do.

7 Q And what do you do for work?

8 A I'm a heavy equipment operator.

9 Q And about how long have you been doing that?

10 A Twenty-six years.

11 Q And your wife, Kerry, does she work as well?

12 A She does.

13 Q And what does she do for work?

14 A She's an executive assistant.

15 Q And do you know about how long she's been
16 doing that?

17 A Probably about 18 years.

18 Q And if I could turn your attention to the
19 evening of January 28th, 2022, do you recall that day?

20 A I do.

21 Q And do you recall anything about what you were
22 doing? Do you recall what day of the week it was?

23 A I know it was a Friday night.

24 Q And, earlier in the day, do you recall
25 anything specific about what you were doing that day?

1 A No, nothing stands out.

2 Q And at some point in time in the evening where
3 were you initially?

4 A Excuse me?

5 Q So at some point at time in the evening were
6 you at home?

7 A Yes, I was at home.

8 Q And while you were at home who, if anyone,
9 reached out to you?

10 A Michael Camerano and John O'Keefe.

11 Q And starting with Michael Camerano, how do you
12 know him?

13 A I grew up with him, well, since sixth grade.
14 We're both from the same town, Milton.

15 Q So the two of you grew up in Milton together.
16 You've known him essentially since then?

17 A Yes.

18 Q And how would you describe sort of your
19 relationship with Mr. Camerano?

20 A We were friends.

21 Q And Mr. Camerano, does he have any children
22 around the age of your two children?

23 A Yes. He has, I believe, a 16-year-old
24 daughter and a 12-year-old son.

25 Q And his son and your son, do they do any sort

1 of activities together?

2 A They did. They played baseball together.

3 Q Now, you mentioned John O'Keefe as well;
4 correct?

5 A Yes.

6 Q And how did you know John O'Keefe?

7 A When his sister and brother-in-law passed, he
8 moved into the house that they lived in in my
9 neighborhood, and my wife knew him previously and
10 introduced me.

11 Q And the house that he moved into with regard
12 to where his sister and brother-in-law lived, where was
13 that in relation to where you lived?

14 A An eighth of -- like not far. Very easily
15 walking distance. Not far.

16 Q And the house that Mr. O'Keefe moved into,
17 who, if anyone, did he initially live there with when
18 he moved in?

19 A He moved in there with the two, his niece and
20 nephew.

21 Q So his niece and nephew from the couple that
22 has passed away?

23 A Yes.

24 Q And he had a niece named [REDACTED]; is that
25 correct?

1 A Yes.

2 Q And a nephew named [REDACTED]?

3 A Yes.

4 Q And, with respect to his nephew [REDACTED], how
5 old was he in relation to your son and Mr. Camerano's
6 son?

7 A Same age.

8 Q And, as far as the activities, baseball and --

9 A Baseball team, yeah.

10 Q So all three of the kids, you know, played
11 baseball together for several years?

12 A Yes.

13 Q Now, at some point did Mr. O'Keefe move away
14 from that house that was close to you?

15 A He did. He did.

16 Q And do you know where he moved to?

17 A One Meadows.

18 Q And sort of from your house, where was that in
19 relation to your house?

20 A Probably two or three miles. A lot further
21 away.

22 Q A lot further away. Sort of on the Stoughton
23 side of Canton; is that correct?

24 A That's correct.

25 Q And do you recall about what year it was that

1 he and the kids moved over to Meadows?

2 A Maybe 2019, maybe. I'm not sure of that.

3 Q Now, at some point in the course through your
4 knowing Mr. O'Keefe did you come to know someone by the
5 name of Karen Read?

6 A I did.

7 Q And when was it in relation to January 28th,
8 2022? About how long before that was it that you met
9 Karen Read?

10 A Probably a couple of -- maybe a year or two.

11 Q So about a year or two before?

12 A Yes. I don't have it exact. I don't recall
13 exactly.

14 Q Okay. Do you recall when it was that you
15 first met her?

16 A I think she might have came to my house maybe
17 with John. Again, I --

18 Q Okay. Now, as far as -- what, if anything,
19 did you know as far as the relationship between
20 Ms. Read and Mr. O'Keefe?

21 A I don't understand.

22 Q Who was Ms. Read to Mr. O'Keefe?

23 A Oh, girlfriend. Sorry.

24 Q That's okay. Nothing is your fault. It's
25 entirely my questions. Okay?

1 So with respect -- and just so we're clear as
2 far as who we're talking about, do you see Ms. Read in
3 the courtroom today?

4 A Yes, I do.

5 Q If you could just identify as to where she's
6 seated or an article of clothing she's wearing.

7 A She's seated right there (Indicating).

8 MR. LALLY: Your Honor, again, just ask the
9 record reflect identification of the defendant by
10 the witness.

11 THE COURT: Yes.

12 MR. LALLY: Thank you.

13 BY MR. LALLY:

14 Q Now, as far as their relationship, and, by
15 "they," I mean Mr. O'Keefe and Ms. Read, is that
16 something that you talked to Mr. O'Keefe about?

17 A No.

18 Q And, sort of vice versa, as far as your
19 relationship with your wife, is that something that you
20 talked to Mr. O'Keefe about?

21 A No.

22 Q Now, with regard to that particular evening,
23 January 28th, 2022, you mentioned -- at some point did
24 Mr. Camerano and/or Mr. O'Keefe reach out to you?

25 A They did.

1 Q And what was that in regard to? What was that
2 conversation?

3 A They reached out. They were at McCarthy's, a
4 bar in Canton Center. They wanted me to come up. I
5 was sick. No, I didn't want to. I wanted to stay in
6 because there was a storm coming. And he called me a
7 pussy. Sorry. And I can't let that happen, so I had
8 to go.

9 Q Fair enough.

10 A So I had to go up there.

11 Q And do you recall who it was that called you
12 that?

13 A It was Michael Camerano.

14 Q Let the record reflect. Okay.

15 So you received that text and you go to
16 C.F. McCarthy's; is that right?

17 A That's right.

18 Q And you mentioned that's in Canton Center?

19 A Yes.

20 Q And about how far a drive is that from your
21 house to C.F. McCarthy's?

22 A Two and a half, maybe three miles at best.

23 Q And do you recall about what time it was that
24 you received that now infamous text and you go make
25 your way to C.F. McCarthy's?

1 A Yes. It was about 20 past 8:00.

2 Q And is that a place that you had been to
3 before?

4 A Not often, but I have been there before.

5 Q When you arrive to C.F. McCarthy's, who, if
6 anyone, that you know is sort of there when you get
7 there?

8 A John O'Keefe and Michael Camerano.

9 Q And, if you could for the jury, just describe
10 sort of what you know of sort the inside of
11 C.F. McCarthy's as far as you walk in the door and what
12 is the layout of the bar.

13 A Walk in the door, go to the left and the bar
14 is right in front of you, a big square bar. Then the
15 bathrooms are in the back and there's tables off to the
16 left.

17 Q And where in relation to the bar and the
18 tables and what you've described were Mr. O'Keefe and
19 Mr. Camerano when you arrived?

20 A I walked in to the left. They were on my
21 left.

22 Q And the area where you came up to and where
23 they were, is that essentially sort of the same area
24 that you and the group that you were with stayed in for
25 most of the night?

1 A Yes.

2 Q And, if you recall -- so you went out to a
3 bar. Fair to say you had something to drink; correct?

4 A Yes.

5 Q Do you recall what you were drinking that
6 night?

7 A I believe it was Bud Light.

8 Q And do you recall whether that was draft or a
9 bottle or something else?

10 A It was a bottle.

11 Q And is that sort of typically what you would
12 drink when you go out?

13 A Back then, yes.

14 Q And, with regard to Mr. Camerano and
15 Mr. O'Keefe, do you recall what they were drinking that
16 night?

17 A I believe the same, the same as me, I think, I
18 believe. I wasn't much paying attention to that, but
19 that's what they normally would drink.

20 MR. LALLY: Your Honor, with the Court's
21 permission, if I could -- your Honor, with the
22 Court's permission, if I could publish to the jury
23 portions of what's been marked as Exhibit 50, the
24 C.F. McCarthy video?

25 THE COURT: Okay.

1 MR. LALLY: Now, Ms. Gilman, if I could ask
2 for the second video and if I could ask you to push
3 it forward to 34 minutes and 10 seconds, and if you
4 could pause it there just for a moment?

5 (Whereupon, the video was played and paused.)

6 BY MR. LALLY:

7 Q Now, Mr. Roberts, directing your attention to
8 the screen, what's been marked as Exhibit 50. And,
9 also, I believe there should be a laser pointer on the
10 desk in front of you. So if you just click on that
11 button and point it in a direction, you can sort of
12 highlight things.

13 So if I could ask you, first of all, do you
14 recognize what's depicted up on the screen as Exhibit
15 50?

16 A Yes.

17 Q And what do you recognize it to be, sir?

18 A I see John right there and Michael right there
19 (Indicating).

20 Q And does this appear to be consistent with
21 your recollection as far as the interior of
22 C.F. McCarthy's on January 28th?

23 A Yes.

24 Q And this area that you just pointed out to as
25 far as where Mr. O'Keefe and Mr. Camerano is, is that

1 the area where you just testified to they essentially
2 were during the time that you were there?

3 A Yes, it is.

4 Q Now, with respect to Mr. O'Keefe, you can see
5 sort of what he's wearing in this video; is that
6 correct?

7 A Yes.

8 Q And the clothing, at least as far as you can
9 see, is that the clothing that you observed Mr. O'Keefe
10 to be wearing that night?

11 A Yes, that was what he was wearing.

12 MR. LALLY: And, Ms. Gilman, if you could, I
13 would ask just to play this from the 34-10 mark
14 until 35.

15 (Whereupon, the video was played.)

16 MR. LALLY: If you could pause there just a
17 moment.

18 (Whereupon, the video was paused.)

19 BY MR. LALLY:

20 Q The gentleman that just came in through the
21 door, do you recognize him, sir?

22 A Yes, I do.

23 Q And who do you recognize that to be?

24 A That's me.

25 Q So that was about the time that you arrived;

1 is that correct?

2 A Yes.

3 MR. LALLY: Ms. Gilman, if you could just
4 continue --

5 (Whereupon, the video was played.)

6 BY MR. LALLY:

7 Q Directing your attention still to the screen,
8 Mr. Roberts, there's another individual around yourself
9 and Mr. O'Keefe and Mr. Camerano; is that correct?

10 A Yes.

11 Q And do you recognize who that person is?

12 A At the time I didn't know. He doesn't look
13 the same in this picture right now, but I believe it's
14 Sully.

15 Q And that's someone at this time on January
16 28th you didn't know who that was?

17 A No.

18 Q You now do?

19 A I do now, yes.

20 Q Okay. Who do you know him to be in relation
21 to sort of yourself and Mr. Camerano and Mr. O'Keefe?

22 A Well, I know him. His son played baseball on
23 my son's baseball team. I met him that night and we
24 were talking.

25 Q So this would have been the first time that

1 you had met this person you now know as Sully?

2 A Yes.

3 Q Thank you, sir.

4 Now, with reference to this evening, at some
5 point who, if anyone else, would have came into the bar
6 and joined your group?

7 A Karen Read.

8 Q And that was sometime after you had initially
9 arrived; is that correct?

10 A I believe so, yes. It was after I had already
11 been there, I believe.

12 MR. LALLY: And, Ms. Gilman, if I could, from
13 the same exhibit but going to the fourth video
14 down, if I could ask you to bring it up to 22
15 minutes and 20 seconds and if you could just pause
16 it there?

17 (Whereupon, the video was played and paused.)

18 BY MR. LALLY:

19 Q Now, as far as Ms. Read, do you see Ms. Read
20 in this video?

21 A Yes, I do.

22 Q And if you could, just using that laser
23 pointer, direct the jury's attention to where you see
24 Ms. Read?

25 A Right there (Indicating).

1 Q Now, Mr. Roberts, you were, fair to say, a
2 little reluctant to come out that evening; is that
3 correct?

4 A That's correct.

5 Q And, as far as timing, about how long was it
6 that you stayed at C.F. McCarthy's before you left?

7 A I'd say a good hour.

8 Q So about an hour or so?

9 A I was home by about 10:00 or 10:15, I was
10 home.

11 Q And, if you recall, about how many beers did
12 you have while you were there?

13 A Probably three or four.

14 Q And what you were drinking, was that, as far
15 as amount was concerned, was that the same, less, more
16 so than sort of the other people that you were with?

17 A Probably one more. I was thinking I was kind
18 of drinking kind of fast because I was taking off.

19 Q So you may have lapped them by a round or
20 something; is that correct?

21 A Yes.

22 Q Now, you mentioned what you and Mr. O'Keefe
23 and Mr. Camerano were drinking. What, if anything, did
24 you observe Ms. Read to be drinking at that time?

25 A It was a clear glass with probably a lime in

1 it. I'm assuming a vodka tonic maybe. I'm not
2 positive what it was, but it was a clear glass of
3 liquor.

4 Q And from your prior sort of interactions or
5 socialization with Ms. Read, is that something that she
6 would typically drink?

7 A Yes, I'd say.

8 Q And about what time was it, again, that you
9 left?

10 A I think I left about 10:00 o'clock. It took
11 me a few minutes to get home.

12 Q And, with regard to when you left, did you
13 sort of announce that to anybody, or how did you --

14 A I usually don't, because then I'll have to
15 deal with it again. But I believe me and Michael
16 Camerano, I believe, left about the same time. I might
17 have been a minute or two before him.

18 Q So you sort of exit and just sort of leave.
19 And then at some point of time around the time that you
20 left Mr. Camerano left as well?

21 A That's right.

22 MR. LALLY: And, Ms. Gilman, from what's up
23 here as Exhibit 50, if I could ask you to just play
24 from this point till about 22 minutes and 50
25 seconds.

1 (Whereupon, the video was played.)

2 MR. LALLY: Thank you, Ms. Gilman. You can
3 take that down.

4 BY MR. LALLY:

5 Q So the camera kind of caught your goodbye;
6 correct?

7 A I believe so, yes.

8 Q So fair to say that was about the time that
9 you left?

10 A I would say.

11 Q And, with regard to -- during the time that
12 you were at C.F. McCarthy's with this group including
13 yourself, Mr. O'Keefe, Mr. Camerano and Ms. Read, how
14 would you describe sort of the general tone or demeanor
15 of the group while you were there?

16 A Very normal. Just friends out having some
17 drinks. Nothing that stands out.

18 Q So no arguing, nothing like that?

19 A No. No.

20 Q And, as far as the clothing that I asked you
21 about with regard to what Mr. O'Keefe was wearing, when
22 you were there that night did you notice anything as
23 far as tears in the clothing or any dishevelment or
24 anything like that?

25 A No, I didn't notice anything.

1 Q And, when you were there and you were talking
2 to Mr. O'Keefe, what, if any, sort of injuries or
3 anything about him did you note as far as his face or
4 anything else that you could see?

5 A Nothing.

6 Q Now, once you left, where did you go?

7 A I went home.

8 Q And do you recall when you got home, I think
9 you've already said it, but about what time is it that
10 you got home?

11 A I think 10:15, would be my best guess.

12 Q And when you got home who, if anyone else,
13 from your house, from your family was there when you
14 got there?

15 A I believe my wife and kids were there. They
16 were up in bed. They weren't downstairs.

17 Q And at some point -- at some point did you go
18 to bed that evening?

19 A I did.

20 Q And about what time was that?

21 A Probably -- I saw the snow start coming down.
22 Probably 11:30, 12:00. Maybe midnight.

23 Q And about the time -- you mentioned that you
24 had been aware that there was a storm coming; correct?

25 A Yes.

1 Q And about the time that you went to bed around
2 midnight or so what, if anything, did you observe? Did
3 you look outside or see anything --

4 A It was snowing. It was snowing.

5 Q And, in relation to that, what, if anything,
6 could you hear while you were in the house or making
7 your way to bed?

8 A The wind was hitting the windows. You just
9 knew there was a storm.

10 Q Now, you go to sleep with your wife; correct?

11 A That's correct, yes.

12 Q And at some point the next morning on the 29th
13 what, if anything, is it that wakes you up?

14 A A voice on my wife's phone was yelling, like
15 screaming frantically, and that woke me up. So I
16 asked, you know, what is that.

17 Q And initially did you recognize that voice on
18 your wife's phone?

19 A I didn't recognize it. But I just couldn't
20 make out the words. It was just a screaming.

21 Q And could you hear anything as far -- you
22 couldn't make out the words --

23 A I couldn't make out the words.

24 Q -- screaming?

25 A No. No.

1 Q And at some point did you recognize that voice
2 or come to find out who was on the other end of the
3 phone?

4 A Yes, I did. It was Karen Read.

5 Q And about what time of the morning was that,
6 if you know?

7 A I'd say 5:00 o'clock would be a good guess.

8 Q And, as far as you wake up and you hear the
9 screaming, what happened then?

10 A My wife gets up. She starts getting all crazy
11 and putting her clothes on and running out. I'm
12 telling her not to go because the weather is pretty bad
13 at that point. And, of course, she goes.

14 Q So she doesn't listen to you and she continues
15 to get dressed and go?

16 A Yes.

17 Q And, when you say the weather was pretty bad
18 at that point, can you expound upon that as far as what
19 you saw?

20 A It was snowing. It was very windy. It was
21 snowing heavy.

22 Q And your wife, Kerry, did she say where she
23 was going?

24 A She said John is missing and I got to go -- I
25 don't know exactly what she said, where she was going.

1 Q Now, from the time that you initially sort of
2 wake up around 5:00 a.m. or so to the screaming on the
3 phone to the time that your wife, Ms. Roberts, leaves
4 your house, how much time had elapsed between those two
5 things?

6 A By the time I woke up until she left?

7 Q Yes.

8 A I'd say 15 minutes.

9 Q And when your wife leaves the house -- and
10 she's driving; is that correct?

11 A She was.

12 Q And do you recall which car she took?

13 A She took her car, the Ford Explorer.

14 Q And that's an SUV; is that correct?

15 A Yes.

16 Q And do you recall what color the Ford Explorer
17 was?

18 A It's gray.

19 Q Now, after she leaves, when is the next time
20 that you spoke to your wife?

21 A She called me. She called me on the phone. I
22 can't really recall exact times now. She told me that
23 they found John, he's in the ambulance, they're
24 bringing him to the hospital, and she was going to get
25 Mr. and Mrs. O'Keefe.

1 Q And, by Mr. and Mrs. O'Keefe, who did you
2 understand that to be?

3 A John's parents.

4 Q And did you know John's parents?

5 A I did.

6 Q And did you know where they lived?

7 A I did.

8 Q And where do they live?

9 A In Braintree.

10 Q So your wife calls you and tells you that
11 Mr. O'Keefe is in an ambulance and she's going to
12 Braintree to get his parents?

13 A That's right.

14 Q And after you heard that, what is it that you
15 did next?

16 A I believe I snowblowed the driveway, got it
17 ready because I knew she's going to come home.

18 Q So you're trying to clear your driveway before
19 your wife returns?

20 A Yes. Yes.

21 Q Now, when you go out to clear the driveway at
22 the time that your wife calls you, about how much snow
23 was in the driveway at that point?

24 A I'd say there was drifts of at least a foot or
25 so. It was a lot. Tough to get the car in.

1 Q And, if you know, about what time was it that
2 your wife returned home that day?

3 A 8:00 o'clock. I don't know exact time.

4 Q And, when you say 8:00 o'clock, you mean
5 8:00 o'clock in the morning or at night?

6 A 8:00 a.m.

7 MR. LALLY: If I may have just one moment,
8 Your Honor?

9 THE COURT: Yes.

10 MR. LALLY: No further questions for this
11 witness, Your Honor.

12 THE COURT: Cross-examination.

13 MR. YANNETTI: Thank you, Your Honor.

14 CROSS-EXAMINATION

15 BY MR. YANNETTI:

16 Q Good afternoon, sir.

17 A Good afternoon.

18 Q Mr. Roberts, you and I have never met;
19 correct?

20 A Correct.

21 Q That night that you went out to
22 C.F. McCarthy's where you were sort of pressured or
23 goated into going out, you did get a chance to observe
24 John O'Keefe at the bar; correct?

25 A I did, yes.

1 Q Did you ever see him wearing a puffy jacket?

2 A No.

3 Q Did you ever see a puffy jacket around his
4 chair that he was sitting in?

5 A Not that I recall.

6 Q Did you ever see him holding a puffy jacket?

7 A No.

8 Q Now, you noticed on the video, one of the last
9 videos that Mr. Lally played for you, that prior to
10 your making the Irish exit there you did have some
11 interaction with Karen Read; correct?

12 A I believe so, at the end.

13 Q You saw that the two of you were at one point
14 face to face?

15 A I did for a brief --

16 Q Yeah. It was, you know, maybe 10 or 20
17 seconds. Does that sound fair?

18 A It does.

19 Q And, when you were face to face, you were
20 looking at her and she was looking at you; correct?

21 A Yes.

22 Q And there was some type of interchange between
23 the two of you?

24 A Maybe as we're saying bye. I don't recall.

25 Q Yeah. You probably don't remember the

1 specifics of what the conversation was, but there
2 appeared to be some type of small conversation?

3 A I saw it from the video, yes.

4 Q And, while you were speaking to her, you have
5 no -- you had no indication that she was slurring her
6 words in any way; correct?

7 A I didn't think so, no.

8 Q No. Her eyes didn't appear to be bloodshot
9 and glassy; correct?

10 A Correct.

11 Q She wasn't swaying or stumbling in any way;
12 correct?

13 A Correct.

14 Q She didn't appear to be confused in her
15 thinking or her speech?

16 A She did not.

17 Q She appeared to be normal; correct?

18 A Yes.

19 Q There was nothing about her demeanor or her
20 interaction with you that would lead you to believe
21 that she was under the influence of alcohol at that
22 time?

23 A No.

24 Q Okay. And during the time that you spent with
25 them at the bar you didn't see any evidence of any

1 problems between Karen and John O'Keefe?

2 A I did not.

3 Q No arguments or bickering or anything like
4 that?

5 A No.

6 Q Neither one of them was complaining about the
7 other; correct?

8 A Correct.

9 Q Were you able to see any of the affection
10 between the two of them, either physically or with
11 regard to what they were saying to each other?

12 A I didn't see any of that.

13 Q It sounds like you were more concentrated
14 on --

15 A I was talking to --

16 Q You were talking with Mike at the bar. Okay.
17 All right.

18 But you had known Karen or at least known of
19 her and had some interactions with her for, I believe
20 your testimony was, about a year or two?

21 A Yes.

22 Q During that time there was some interaction
23 with Karen at your house because there were pickups and
24 drop-offs that had to be made?

25 A Yes.

1 Q And you would see that, you know, Karen had
2 been to your house when you were there, specifically to
3 pick up your son; correct?

4 A Yes.

5 Q How often would that occur?

6 A I don't recall. Not --

7 Q A handful of times?

8 A Maybe.

9 Q And she would pick him up to either take him
10 to school or sports or some activity; correct?

11 A I think it was only for like baseball, I
12 believe. I don't arrange that stuff. My wife takes
13 care of that. I don't arrange for the pickups.
14 Usually my wife does that, so I can't tell you exactly
15 what it was for.

16 Q No. I understand. I'm just getting the fact
17 that you were present when these pickups occurred.

18 A Yes.

19 Q And that would be because Karen was sort of
20 shoveling, you know, either [REDACTED] or [REDACTED] to
21 events; correct?

22 A Correct.

23 Q And when there was an intersection
24 specifically with regard to [REDACTED] and your son, she
25 would take both of them; correct?

1 A Yes.

2 Q And, from your observations of Karen Read
3 during, you know, that one or two years that you had
4 come into contact with her, the contact you had was
5 mainly surrounding what happened with the kids;
6 correct?

7 A Yeah, I would say.

8 Q And she appeared to be responsible; correct?

9 MR. LALLY: Objection, Your Honor.

10 THE COURT: The objection is sustained. Ask
11 it differently, Mr. Yannetti.

12 MR. YANNETTI: Sure.

13 BY MR. YANNETTI:

14 Q She appeared to be caring toward the kids; did
15 she not?

16 MR. LALLY: Objection.

17 THE COURT: Overruled.

18 MR. LALLY: May we approach?

19 THE COURT: Okay.

20 Jurors, feel free to stand up and stretch.

21 (Whereupon, there was a sidebar conference as
22 follows:)

23 MR. LALLY: So, Your Honor, with this witness
24 and with another witness, I'm certainly permissive
25 when it comes to certain background, general

1 things. But there is a specific motion in limine
2 as to character evidence. And I think what we are
3 getting here is a little bit closer to that,
4 particularly as it becomes repetitive with every
5 single witness that --

6 THE COURT: He doesn't seem to have had much
7 contact with her and you're sort of towards the end
8 of what you've got with this, right?

9 MR. YANNETTI: Oh, yeah. I don't have much
10 left at all, like one or two questions in this
11 area, and that's it.

12 THE COURT: To sort of offset any objection?

13 MR. YANNETTI: Yeah. I mean, I was going to
14 end with the fact that, you know, she acted in a
15 caring way in terms of these pickups. And she was
16 sort of motherly duties that a mother would
17 typically do, and that's it.

18 THE COURT: Okay. It may open the door to
19 character evidence. Okay? We'll see. If you
20 think it does, you have to come to sidebar.

21 MR. LALLY: And the other, just as far as
22 character goes, there was a motion in limine as
23 far as a prohibition on good character.

24 MR. YANNETTI: I am not offering this as
25 character evidence. I am offering it as evidence

1 of the relationship that Karen had with John and
2 her family. The allegation has been that things
3 were blowing up and, you know, these types of acts
4 do, you know, defend her against that.

5 THE COURT: I think you've already got that.
6 If that's your purpose, I think it's already been
7 introduced.

8 MR. YANNETTI: Could the Court instruct the
9 witness to answer that one question, whether she
10 was caring towards the kids? If the answer is
11 "yes," I end.

12 THE COURT: Whether she appeared to be, not
13 whether she was but she appeared to be.

14 MR. YANNETTI: Yes. That's fine. Yes.

15 THE COURT: I am going to let that in and
16 that's the end of the inquiry.

17 MR. LALLY: That's fine. Thank you.

18 (Whereupon, the sidebar conference concluded.)

19 BY MR. YANNETTI:

20 Q Just one question for you just to sort of
21 alter the last question that I asked you. From your
22 read on this, it appeared to you as though Karen was
23 caring for the kids and caring about them; correct?

24 A Correct.

25 MR. YANNETTI: Nothing further.

1 THE COURT: Any followup, Mr. Lally?

2 MR. LALLY: Briefly.

3 REDIRECT EXAMINATION

4 BY MR. LALLY:

5 Q Just one question, sir. As far as your
6 observations of Ms. Read in regard to Mr. O'Keefe, in
7 regard to the children, that was what you observed;
8 correct?

9 A That's right.

10 Q And, so, as far as what, if anything, went on
11 behind closed doors or in their relationship, you
12 weren't really privy to that?

13 A I was not.

14 MR. LALLY: Nothing further.

15 THE COURT: All right, Mr. Roberts, you are
16 all set, sir.

17 THE WITNESS: Thank you.

18 (Whereupon, the witness is excused.)

19 THE COURT: Your next witness, Mr. Lally?

20 MR. LALLY: Yes, Your Honor. The Commonwealth
21 would call Ms. Rebecca Trayers to the stand.

22 Whereupon,

23 REBECCA TRAYERS

24 having been first duly sworn, was examined and
25 testified as follows:

1 THE COURT: Whenever you're ready, Mr. Lally.

2 MR. LALLY: Thank you, Your Honor.

3 DIRECT EXAMINATION

4 BY MR. LALLY:

5 Q Good afternoon, ma'am.

6 A Good afternoon.

7 Q Could you please state your name and just
8 spell your last name for the jury?

9 A Rebecca Trayers, T-R-A-Y-E-R-S.

10 Q And, Ms. Trayers, what do you do for work?

11 A I am a bartender.

12 Q And where is it that you work as a bartender?

13 A Waterfall Bar and Grill.

14 Q And where is that located?

15 A In Canton, Massachusetts.

16 Q And how long have you worked there in that
17 capacity?

18 A About seven years.

19 Q And in relation to -- so where in Canton,
20 Massachusetts is the Waterfall located?

21 A In the center.

22 Q And is there a typical sort of shift or nights
23 that you would work in regard to working at the
24 Waterfall?

25 A At the moment it's like Thursday, Friday,

1 Saturday nights.

2 Q And, when you work sort of at nights, what
3 time is it sort of that you start and what time is it
4 that you typically close?

5 A The shift starts at 5:00. And we are by
6 volume, so it's once, like, people start leaving,
7 generally around 10:00 to 11:00.

8 Q So what is the latest that, based on volume,
9 people are sort of hanging around in the bar, when
10 would you sort of, you know, last call, turn the lights
11 on, kind of thing?

12 A 12:45 is the latest that we could do last
13 call.

14 Q Now, during the shifts that you work, about
15 how many people or, like, what does sort of the staff
16 look like in regard to sort of your evening shift?

17 A For upstairs, there's typically like two of us
18 with a couple of food runners.

19 Q And, with regard to entertainment, does the
20 Waterfall have certain nights of entertainment, sort of
21 live entertainment within?

22 A Uh-hmm. Fridays and Saturdays.

23 Q And what kind of entertainment would be there
24 on a Friday or Saturday?

25 A Bands.

1 Q And is that sort of the same bands over and
2 over or is it sort of different bands as it goes?

3 A They rotate throughout months.

4 Q Now, were you working at the Waterfall in that
5 capacity around or on January 28th, 2022?

6 A Yes.

7 Q And let me ask you, stepping back for a
8 second, some more general questions. What time does
9 the Waterfall typically open?

10 A Open, like 11:00 a.m.

11 Q So basically 11:00 a.m. to 11:00 p.m. or based
12 on volume when you close?

13 A Uh-hmm.

14 THE COURT REPORTER: Is that "yes," ma'am?

15 THE WITNESS: Yes.

16 BY MR. LALLY:

17 Q Now, with respect to the Waterfall, if you
18 could just sort of describe -- I know it's located in
19 the Canton Center area. But what kind of building is
20 it? What, if anything else, is sort of around it?

21 A It's in a condo unit.

22 Q So in a condo, sort of, complex?

23 A Yes.

24 Q And is there a parking lot associated with
25 both the complex and with the Waterfall?

1 A Yes.

2 Q And, as far as entrances and exits, how many
3 of those each are there?

4 A Four.

5 Q Four. And what is sort of the typical
6 entrance that people would come in?

7 A There's typically two, one in the front and
8 then one in the back by the patio.

9 Q And, so, the one by the front, where is that
10 in relation to the parking lot?

11 A It's right outside the parking lot.

12 Q And, so, if I walk into that front door over
13 by the parking lot and come in, can you describe for
14 the jury sort of the layout or like sort of how many
15 tables, what kind of tables that you observe there?

16 A When you initially walk in, you walk into like
17 the lounge around. There is about seven or eight high-
18 tops and then probably four or five low-tops. And then
19 right beyond that is the bar area which leads into the
20 patio. And we have two back rooms also, but those
21 aren't typically used.

22 Q And, as far as the high-tops and the low-tops,
23 starting with the low-tops, about how many chairs would
24 typically be around the low-top table?

25 A Four.

1 Q And, as far as the high-tops, how many chairs?

2 A Six and two. We have both.

3 Q Now, is there -- in addition to being a bar,
4 is it also sort of a restaurant? Do you serve food?

5 A Uh-hmm.

6 THE COURT REPORTER: "Yes"?

7 THE WITNESS: Yes.

8 MR. LALLY: I'm sorry.

9 BY MR. LALLY:

10 Q And is there sort of a -- how is that staffed,
11 as far as the kitchen staff is concerned?

12 A In the kitchen there is typically two cooks at
13 a time. That's downstairs.

14 Q And it may be pretty well-understood, but just
15 as far as your duties and sort of responsibilities as a
16 bartender, what is it that you do?

17 A I serve drinks and take food orders.

18 Q Now, are there people -- do you have sort of
19 regular customers that come in on a fairly regular
20 basis?

21 A Yes.

22 Q With respect to the bar, is that sort of a
23 full-service bar?

24 A What would full-service be?

25 Q Poor question. Let me rephrase. So you have

1 beer and wine; is that correct?

2 A Yes.

3 Q Okay. And is there sort of mixed drinks and
4 cocktails and things of that nature as well?

5 A Yes.

6 Q Now, when it comes to the glassware that the
7 Waterfall has, where does that typically -- where does
8 that come from?

9 A Like where do we buy it? Is that what you're
10 asking?

11 Q Correct.

12 A Typically Restaurant Depo.

13 Q And is there like a certain type of -- well,
14 let me start back. So if you're getting something
15 that's either a draft beer or wine, cocktail, does the
16 type of drink that you're ordering have any reflection
17 in the type of glass you would receive it in?

18 A For the most part, yes.

19 Q And, as far as if you're, let's say, getting a
20 non-alcoholic drink, how would that typically be
21 served?

22 A In a pint glass.

23 Q And if you were getting a mixed drink or a
24 cocktail, how would that typically be -- what kind of
25 glass would that typically be served in?

1 A In like a shorter one.

2 Q And the shorter, sort of, cocktail glass, as
3 far as the weight of that, would that be heavier or
4 less heavy than the pint glass?

5 A The same.

6 Q And, as far as the sort of thickness of that
7 cocktail glass, would it be thicker at the bottom or
8 thicker at the top or something else?

9 A We have different short glasses, but the
10 bottoms are typically heavier in glasses.

11 Q Now, on that particular evening of
12 January 28th, 2022, do you recall whether or not there
13 was any sort of musical entertainment in the bar that
14 night?

15 A There was a band.

16 Q And do you recall the name of the band or what
17 kind of music they played?

18 A No.

19 Q But it was a live band; is that correct?

20 A Yes.

21 Q And when a live band is performing at the
22 Waterfall, where is it in regard to the layout that you
23 were describing that that band would typically set up?

24 A When you walk into the building, it's left of
25 the high-tops. There's like a small alcove. We move

1 tables for them.

2 Q And once the band is done, what, if anything,
3 do you do with that space once the band clears out?

4 A We put the tables back.

5 Q Now, with respect to the Waterfall, are you
6 familiar with whether or not there's any sort of
7 security or camera recording in there?

8 A There's cameras.

9 Q And, as far as the cameras are concerned, do
10 you know sort of where they're situated in relation to
11 the bar?

12 A For the most part, yes.

13 Q And fair to say there's at least some interior
14 cameras and some exterior cameras; correct?

15 A Yes.

16 Q And, with regard to this specific evening of
17 January 28th, 2022, have you had occasion to see some
18 of that video from that particular evening?

19 A Yes.

20 MR. LALLY: And, Your Honor, may I approach?

21 THE COURT: Yes.

22 MR. LALLY: Your Honor, at this time I would
23 seek to introduce and admit as the next exhibit a
24 copy of the surveillance video from the Waterfall.

25 THE COURT: Is there any objection?

1 MR. YANNETTI: No objection, Your Honor.

2 (Whereupon, CD, footage from the Waterfall was
3 entered and marked as Exhibit No. 53 in Evidence.)

4 THE COURT REPORTER: Exhibit 53.

5 THE COURT: Thank you.

6 MR. LALLY: Your Honor, with the Court's
7 permission, I would ask to publish certain small
8 portions of that at this time.

9 THE COURT: Okay.

10 MR. LALLY: Now, Ms. Gilman, if I could ask
11 for just the first video with the label as far as
12 Channel 1 and if you could just pause right here.
13 (Whereupon, the video was played and paused.)

14 BY MR. LALLY:

15 Q Now, Ms. Trayers, what's up on the screen, do
16 you recognize generally what that is?

17 A Yes.

18 Q And what are we looking at?

19 A The Waterfall parking lot.

20 Q And, so, this is the parking lot that you were
21 referring to. That's sort of the front door that leads
22 out to the parking lot for both the condo places and
23 the Waterfall?

24 A Yes.

25 Q And the video, as far as you're aware, is date

1 and time stamped and those dates and times are
2 accurate; correct?

3 A The date, yeah.

4 Q Yes?

5 A Yes.

6 MR. LALLY: Ms. Gilman, you can take that
7 down. And, Ms. Gilman, if I could have from
8 Channel 3 the first video associated with
9 Channel 3 and if you could just pause there?

10 (Whereupon, the video was played and paused.)

11 BY MR. LALLY:

12 Q So, Ms. Trayers, before you, I think, on that
13 desk should be a laser pointer. So basically all you
14 need to do with that is just click the button on the
15 top and point it at the screen if and when I ask or
16 anybody asks you. Okay?

17 So, again, what's up on the screen right now,
18 do you recognize that?

19 A Yes.

20 Q And what do you recognize that to be?

21 A The lounge area of the Waterfall.

22 Q And if you could, using the laser pointer,
23 direct the jury's attention first to that area that you
24 were speaking about where a band would normally
25 perform?

1 A Right here (Indicating).

2 Q And that's where the band was that night?

3 A Yes.

4 Q And the high-tops and low-tops, if you could
5 direct the jury's attention to where those would be
6 located?

7 A So these are the six-people ones, the two-
8 people, and then low-tops.

9 Q And, as far as the bar area where you would be
10 situated within the establishment when you're working
11 as a bartender, whereabouts -- if you could direct the
12 jury's attention to whereabouts that would be?

13 A Back here (Indicating).

14 Q And sort of immediately adjacent or right in
15 front of sort of where the bar area is, what kind of
16 table or what, if anything, is closest to the bar?

17 A High-top.

18 MR. LALLY: Ms. Gilman, if I could ask you to
19 take that one down and if you could please go to
20 the sixth video listed down for Channel 3 and if
21 you could pause there for a second?

22 (Whereupon, the video was played and paused.)

23 BY MR. LALLY:

24 Q Now, Ms. Trayers, directing your attention up
25 to the video, I'm sorry, up to the screen to the video

1 that's now up there, do you recognize this to be the
2 Waterfall as well?

3 A Yes.

4 Q The timestamp on it says 1/29, 12:01. Is that
5 a.m.; is that correct?

6 A Correct.

7 Q And fair to say that the -- well, what, if
8 any, difference do you note sort of about the lighting
9 in this video versus the one earlier around 10:30 p.m.
10 or so?

11 A This one is brighter.

12 Q And why is it?

13 A We are getting ready to close.

14 Q So you would have turned the lights on at that
15 point?

16 A Yes.

17 Q And, as you're closing, what are some of the
18 sort of final things that you're doing as you're sort
19 of closing up shop?

20 A Cleaning up.

21 MR. LALLY: Ms. Gilman, if I could ask you to
22 push this forward to about 15 minutes and 45
23 seconds.

24 (Whereupon, the video was played and paused.)

25 BY MR. LALLY:

1 Q And, Ms. Trayers, from the date and timestamp
2 up there, about what time is this, does it say on the
3 screen?

4 A 12:16 a.m.

5 MR. LALLY: And, Ms. Gilman, if you could play
6 this from this point until about 16 minutes and
7 8 seconds?

8 (Whereupon, the video was played.)

9 MR. LALLY: Pause there for just a moment.

10 (Whereupon, the video was paused.)

11 BY MR. LALLY:

12 Q The individual sort of walking from the top of
13 the screen down towards the bottom, towards the front
14 door area, is that where the front door is?

15 A Yes.

16 Q And, again, if you could just for the jury,
17 just using the laser pointer, direct their attention to
18 where that front door is?

19 A Right there (Indicating).

20 Q And do you recognize who that person was?

21 A Yup.

22 Q Who's that?

23 A That's me.

24 Q You were basically taking the trash out;
25 correct?

1 A Yes.

2 MR. LALLY: Ms. Gilman, if you could just run
3 it through --

4 (Whereupon, the video was played.)

5 MR. LALLY: Thank you. You can stop it there
6 and you can take that down, Ms. Gilman. Thank you
7 very much.

8 BY MR. LALLY:

9 Q Now, from that evening of January 28th, 2022,
10 I'm going to ask just a couple of people's names and
11 then ask if you know them or recognize them as far as
12 sort of people that you've seen in that establishment
13 before. Okay?

14 First, with respect to John O'Keefe?

15 A I know of him.

16 Q And was he someone that you had seen in the
17 Waterfall before when you were working there?

18 A A couple of times.

19 Q Did you know him specifically by name or did
20 you just sort of know him as a familiar face?

21 A First name.

22 Q And what is it typically that -- you know, as
23 a bartender, what is it typically that he would sort of
24 order or get when he was there?

25 A I couldn't tell you.

1 Q And, really, I'm just asking as far as beer
2 versus cocktail versus whatever else, if you know.

3 A I'd say beer.

4 Q And do you recall seeing him in the Waterfall
5 on January 28th?

6 A Yes.

7 Q And could you describe what, if any,
8 interaction you had with him or when about that was in
9 the evening?

10 A He came up to order a beer.

11 Q And at the end of the night there was one
12 group that was sort of the last group to leave; is that
13 correct?

14 A Yes.

15 Q And where were they sort of situated in the
16 bar area --

17 A A high-top --

18 Q -- in the lounge?

19 A -- yeah, in the lounge, closest to the bar.

20 Q And what, if any, association did you see with
21 Mr. O'Keefe with regard to that group?

22 A I believe he was standing with them.

23 THE COURT: Could you keep your voice up,
24 please?

25 THE WITNESS: Yes.

1 THE COURT: Thank you.

2 BY MR. LALLY:

3 Q And, ma'am, if you want, that microphone you
4 can move anywhere you want, so wherever is most
5 comfortable for you. Thank you.

6 Now, were you familiar with anybody, as far as
7 a female party, that would accompany Mr. O'Keefe to the
8 Waterfall on that or prior occasions?

9 A No.

10 Q And had you seen Mr. O'Keefe in there with or
11 without any sort of female companionship?

12 A Previously?

13 Q Yes.

14 A No, not that I'm aware of.

15 Q I'm sorry?

16 A Not that I'm aware of.

17 Q Not that you're aware of.

18 Now, with regard to Christopher Albert, did
19 you know him?

20 A I know of him.

21 Q And you're familiar with him as far someone
22 who came into the Waterfall on occasion?

23 A On occasion, yes.

24 Q About how often would he be in there?

25 A Once every few months.

1 Q And do you recall him on the evening of
2 January 28th?

3 A I actually don't remember.

4 Q And anybody else from the Albert family? As
5 far as a Brian Albert, were you familiar with him?

6 A I know of him.

7 Q And do you recall him being there on
8 January 28th?

9 A Yes.

10 Q And where was he in relation to the group that
11 was at the high-top table closest to the bar?

12 A Same area.

13 Q And who, if anyone else, from that group did
14 you recognize or did you know on that evening?

15 A The only people I would have recognized would
16 be Brian Higgins and Brian Albert's wife.

17 Q And do you even know what Brian Albert's
18 wife's name is?

19 A I forget.

20 Q And Mr. Higgins, is that someone that you had
21 seen in there on prior occasions?

22 A On occasion, yes.

23 Q And, as far as Mr. Brian Albert, is that
24 someone that you had seen there on prior occasions as
25 well?

1 A Same. On occasion.

2 Q And had you seen Mr. Higgins and
3 Mr. Brian Albert there together on prior occasions as
4 well?

5 A Yes.

6 MR. LALLY: If I may have just one moment,
7 Your Honor?

8 THE COURT: Okay.

9 BY MR. LALLY:

10 Q Now, at some point following that evening of
11 January 28th do you recall troopers from the state
12 police coming to the Waterfall and speaking with you
13 and speaking with the owner of the Waterfall?

14 A I spoke with them, not at Waterfall.

15 Q And are you at least aware that they received
16 from the establishment not only the video but some
17 receipts from that evening as well?

18 A Yes.

19 Q And have you seen those receipts on some prior
20 day?

21 A One.

22 MR. LALLY: Your Honor, may I approach?

23 THE COURT: Yes.

24 MR. LALLY: May I approach the witness, Your
25 Honor?

1 THE COURT: Yes.

2 BY MR. LALLY:

3 Q I'm showing you a two-page document. I'll
4 just ask in general terms, do you recognize what those
5 appear to be?

6 A Yes.

7 Q And, obviously, you work at the Waterfall,
8 you've seen receipts that are generated by the
9 establishment before; correct?

10 A Yes.

11 Q And do those appear to be receipts from the
12 Waterfall?

13 A Yes.

14 Q And is there any sort of date --

15 THE COURT: I'm sorry. Was there a "yes" or
16 "no" answer?

17 THE WITNESS: "Yes."

18 THE COURT: Thank you.

19 BY MR. LALLY:

20 Q And, with respect to the receipts that I've
21 placed before you, do they have a date on them?

22 A Yes.

23 Q And what is the date?

24 A 1/28/22.

25 MR. LALLY: Your Honor, may I approach?

1 THE COURT: Yes.

2 MR. LALLY: The Commonwealth would seek to
3 introduce and admit as the next exhibit.

4 MR. YANNETTI: No objection.
5 (Whereupon, receipts from the Waterfall were
6 entered and marked as Exhibit No. 54 in Evidence.)

7 THE COURT REPORTER: Exhibit 54.

8 THE COURT: Thank you.

9 MR. LALLY: If I may have one moment, Your
10 Honor?

11 THE COURT: Yes.

12 BY MR. LALLY:

13 Q And, Ms. Trayers, just one last question.
14 With regard to some of the people that I had asked
15 you about as far as Mr. O'Keefe, Brian Albert,
16 Brian Higgins, Christopher Albert, any of those parties
17 that you knew, you knew them sort of exclusively
18 through your work at the Waterfall; correct?

19 A Yes.

20 MR. LALLY: Nothing further, Your Honor.

21 THE COURT: Mr. Yannetti. Thank you, Your
22 Honor.

23 CROSS-EXAMINATION

24 BY MR. YANNETTI:

25 Q Good afternoon, ma'am.

1 A Good afternoon.

2 Q We've never met; correct?

3 A No.

4 Q You have been a bartender at the Waterfall for
5 how many years?

6 A About seven.

7 Q And that was prior to January of 2022 or
8 you've now been there for seven years as of today?

9 A As of today.

10 Q As of today.

11 Prior to being a bartender at the Waterfall
12 did you have another bartending job somewhere else?

13 A Yes.

14 Q Where was that?

15 A I bartended a couple places.

16 Q In what towns or cities?

17 A A couple in Canton.

18 Q And the couple in Canton, was that immediately
19 prior to moving to the Waterfall?

20 A Yes.

21 Q All right. And we don't have to get into the
22 names of them, but how many years were you a bartender
23 in Canton prior to going to the Waterfall?

24 A Prior to the Waterfall, about four.

25 Q Okay. So for about the last 11 years you've

1 been a bartender at one establishment or another in the
2 town of Canton; correct?

3 A Yes.

4 Q Are you from Canton?

5 A I am.

6 Q Did you grow up in Canton?

7 A Yes.

8 Q And you no longer live in Canton?

9 A I recently moved back.

10 Q Now you're back to Canton?

11 A Uh-hmm.

12 Q I got you. Okay.

13 And you had, I believe, testified on direct
14 examination that you either know or know of the Albert
15 family; correct?

16 A Correct.

17 Q You would agree with me that they are a well-
18 known family in the town of Canton?

19 MR. LALLY: Objection.

20 THE COURT: Overruled.

21 THE WITNESS: Do I answer that?

22 THE COURT: Yes, you can.

23 BY MR. LALLY:

24 Q She said "Overruled," so you can.

25 A I would say yes.

1 Q Okay. And how many members of the Albert
2 family do you know either personally or professionally?
3 And, by "professionally," I mean, obviously, you're a
4 bartender, and "personally" means that you know them on
5 some other -- in some other way.

6 A It would only be professionally.

7 Q Okay.

8 A And I'd say three -- or the whole family of
9 Alberts, is that what you're asking?

10 Q Yes.

11 A Five of them.

12 Q Okay. And if I asked you the names of the
13 Albert family that you know, would you be able to tell
14 this jury?

15 A Yes.

16 Q If you would do that, please.

17 A There's Brian Alberts, Chris Alberts. I can't
18 remember their wives' names.

19 Q Okay. But you know their wives by face?

20 A Yeah. And then Brian's daughter, Caitlin.

21 Q Okay. And specifically with regard to
22 Caitlin Albert, can you tell us, is there a difference
23 in age between the two of you? Is she closer to your
24 age than the others?

25 A She is closer to my age. She's younger than

1 me.

2 Q Okay. Did you see Caitlin Albert at the
3 Waterfall on the night of January 28th, into the 29th
4 of 2022?

5 A Yes.

6 Q You also mentioned that you had seen somebody
7 named Brian Higgins there; correct?

8 A Correct.

9 Q He was somebody that you recognized prior to
10 that day; correct?

11 A Correct.

12 Q And how did you know or come to recognize
13 Brian Higgins?

14 A From Waterfall.

15 Q Did you know his name, specifically his last
16 name, on January 28th when you were working that night?

17 A Yes.

18 Q When did you learn his name, if you remember?

19 A I don't remember.

20 Q At some point in the past when he had been
21 in the bar, for some reason you knew his name, Brian
22 Higgins?

23 A Prior, yes.

24 Q And you had testified, I believe, on direct
25 examination that you had seen Brian Higgins with

1 Brian Albert at the Waterfall on prior occasions;
2 correct?

3 A Correct.

4 THE COURT: So, Mr. Yannetti, it's time for
5 lunch. I don't imagine you're going to finish in
6 five minutes; right?

7 MR. YANNETTI: It won't be too much longer
8 than that, but it's probably good to take a break
9 now.

10 THE COURT: All right. Ms. Trayers, I'm going
11 to ask you to come back here at 2:00. Jurors,
12 we'll take the luncheon break.

13 (Whereupon, the jury was escorted from the
14 courtroom.)

15 (Whereupon, the defendant was escorted from the
16 courtroom and the luncheon recess was taken.)

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A F T E R N O O N S E S S I O N

(Court resumes at 2:12 p.m.)

(Defendant present. Jury present.)

THE COURT: Could we have Ms. Trayers, please?

(Whereupon, the witness resumes the witness stand.)

THE COURT: All right, Mr. Yannetti.

MR. YANNETTI: Thank you, Your Honor.

BY MR. YANNETTI:

Q Good afternoon again, ma'am.

A Good afternoon.

Q I believe you had testified that you knew John O'Keefe as a prior customer in the bar; correct?

A Correct.

Q And that particular night John appeared to be in a good mood; would you agree?

A Yes.

Q In fact, John is a pretty good tipper?

A I wouldn't really know.

Q Well, with regard to that particular night, there was one receipt that was introduced in Exhibit 54. You probably didn't take a close look at it.

A No.

Q But if I suggested to you that there was a receipt for a total of \$16.58 worth of drinks and John put a tip down of ten bucks, that would be a pretty

1 good tip; right?

2 A Yes.

3 Q And do you need to see the receipt to confirm
4 that or --

5 A No.

6 Q Does that makes sense?

7 A Yeah.

8 Q Okay. And that night John's demeanor seemed
9 fine; would you agree?

10 A Yes.

11 Q You didn't notice John buying drinks for a
12 woman that night; did you?

13 A No.

14 Q And, with regard to your, you know, sort of
15 scanning the people that were there within that group,
16 one of your duties as a bartender is to make sure that
17 nobody is over served; right?

18 A Correct.

19 Q And, so, you know, while you don't watch every
20 movement all the time, you do look for signs that
21 somebody might be over served; correct?

22 A Correct.

23 Q And, with regard to the group that came in,
24 the receipts for which you were shown today, nobody
25 really seemed highly intoxicated to you; correct?

1 A No.

2 MR. YANNETTI: If I might just have a moment?

3 THE COURT: Yes.

4 MR. YANNETTI: I have no further questions.

5 Thank you, ma'am.

6 THE COURT: Anything?

7 MR. LALLY: No redirect, Your Honor.

8 THE COURT: All right. Ms. Trayers, thank you
9 very much.

10 THE WITNESS: Thank you.

11 (Whereupon, the witness is excused.)

12 MR. YANNETTI: Your Honor, may I approach
13 counsel table for the witness's read back?

14 THE COURT: Yes. I was actually just looking
15 for it.

16 MR. YANNETTI: Oh, it's here. Sorry.

17 THE COURT: That's okay. Thank you.

18 All right. Your next witness, Mr. Lally?

19 MR. LALLY: Yes, Your Honor. The
20 Commonwealth would call Mr. Nicholas Kolokithas to
21 the stand.

22 Whereupon,

23 NICHOLAS KOLOKITHAS

24 having been first duly sworn, was examined and
25 testified as follows:

1 THE COURT: Whenever you're ready, Mr. Lally.

2 Good afternoon.

3 THE WITNESS: Good afternoon.

4 MR. LALLY: Thank you, Your Honor.

5 DIRECT EXAMINATION

6 BY MR. LALLY:

7 Q Good afternoon, sir.

8 A Good afternoon.

9 Q Could you please state your name and spell
10 your last name for the jury?

11 A It's Nicholas Kolokithas, K-O-L-O-K-I-T-H-A-S.

12 Q And where do you live, sir?

13 A Canton.

14 Q And how long have you lived in Canton?

15 A Twenty-one years.

16 Q And who, if anyone, do you live in Canton
17 with?

18 A My wife and two children.

19 Q And what is your wife's name?

20 A Karina.

21 Q And your two children, how old are they?

22 A Eighteen and sixteen.

23 Q And are they both girls?

24 A Yes.

25 Q And do you work, sir?

1 A Yes, I do.

2 Q And what do you do for work?

3 A I'm an attorney.

4 Q And how long have you been practicing as an
5 attorney?

6 A Twenty-seven years.

7 Q And does your wife work?

8 A Yes, she does.

9 Q And what does she do for work?

10 A She's a pharmacist.

11 Q Now, if I could turn your attention to the
12 evening of January 28th, 2022, do you recall that date?

13 A Yes, I do.

14 Q Were you working that day?

15 A I was.

16 Q And were you working in the office, remotely,
17 or --

18 A We were hybrid. I was working remote that
19 day.

20 Q Now, as far as that evening was concerned,
21 what, if anything, were the plans and, so, what did you
22 do that evening?

23 A Sure. My older daughter was on the Canton
24 High basketball team, so we were planning to go -- I
25 was planning to go to the basketball game and I did go

1 to the basketball game.

2 Q And where was the basketball game, if you
3 recall?

4 A Canton High School.

5 Q And your daughter at that point, which team
6 did she play for?

7 A She was coming off an injury and she was
8 playing for both the JV and the varsity team.

9 Q So she was sort of swinging between JV and
10 varsity?

11 A Correct.

12 Q And, so, what time were each of the games that
13 evening?

14 A God. I think the JV was around 5:00 or so and
15 the varsity 6:30-6:45.

16 Q And do you recall who they were playing?

17 A Foxborough High.

18 Q And, when you arrived to the game, as far as
19 -- where is it that you typically sit when you go to a
20 basketball game at Canton High?

21 A There was a group of five parents or so,
22 including us. We generally sat together most of the
23 games.

24 Q And who, if anyone else, was among those
25 parents that you sat with?

1 A Specifically?

2 Q Yes.

3 A The McCabes, the Fitzgeralds, Galleries, and
4 Tom Beatty.

5 Q And these are people you know as sort of
6 parents of other children that are on the team?

7 A Yes.

8 Q And, as far as that particular -- is that who
9 you sat with on this occasion, if you recall?

10 A I believe so.

11 Q And, your wife, did she come to one or both
12 games?

13 A She came to the second game, the varsity game.

14 Q And about what time did that game get over?

15 A The varsity game?

16 Q Yes.

17 A It went into overtime. It was a back and
18 forth game. It was later than usual.

19 Q And do you recall who won?

20 A We lost. Foxborough.

21 Q Now, following that, following the basketball
22 game, where did you go from there?

23 A As usual, we waited for our players to come
24 out, our daughters to come out. And the same group of
25 parents were deciding if we should continue, go out

1 somewhere and get something to eat. I was hungry.
2 Anybody who knows me doesn't get between me and my
3 food. So I was very hungry, so I wanted to get
4 something to eat.

5 Q And where did you decide to go?

6 A Went to the Waterfall.

7 Q And is that somewhere that you had been
8 before?

9 A Yes.

10 Q Now, with regard to the Waterfall, as far as
11 the other parents were concerned, what, if any other,
12 parents from the ones that you described, as far as the
13 ones you sit with at the game, who, if anyone else,
14 went?

15 A Jennifer and Matt McCabe.

16 Q And how was that sort of -- was that
17 communicated to you, as far as in person, via text, a
18 phone, or how did you come to the Waterfall?

19 A It was via text.

20 Q And, so, you get a text from? Who
21 specifically is directing you to sort of go to the
22 Waterfall?

23 A So it was a group text amongst the five sets
24 of families. And different ideas were bantered about
25 in the group text, and I decided to go to the

1 Waterfall.

2 Q And when you get to the Waterfall, being
3 familiar with the establishment, where is it that you
4 parked in reference to the Waterfall?

5 A I parked behind Washington Street. There's a
6 small little parking lot. Waterfall shares a parking
7 lot with other establishments and I believe condos. I
8 parked in back.

9 Q And about what time did you get there, if you
10 know?

11 A I got there right around nine-ish, a little
12 bit before 9:00, 9:00 o'clock.

13 Q And who, if anyone else, from that group of
14 parents besides yourself and the McCabes went to the
15 Waterfall that night, if you know?

16 A So I walked in. There was a large table
17 probably eight to ten feet long. In addition to Jen
18 and Matt McCabe, there was Jen's sister, Nicole Albert;
19 her husband, Brian Albert; Brian's brother, Chris
20 Albert; and his wife, Julie. And there were others
21 that I was just introduced to for the first time, so I
22 don't remember or recall their names, but they were
23 also at the table as well.

24 Q And, so, as far as the other sort of
25 basketball parents, were any of them there as well,

1 beyond the McCabes?

2 A Beyond the McCabes, no.

3 Q And, as far as the other people who didn't
4 have the last name McCabe, how did you know any of
5 those people, or did you know any of those people?

6 A At the Waterfall?

7 Q Yes.

8 A I had met -- I met Nicole, Brian, Chris and
9 Julie prior, I think, at basketball games or other
10 events, so I knew them through the McCabes, through
11 Jen.

12 Q And the McCabes had a daughter on the
13 basketball team as well?

14 A They had one of their daughters on the team at
15 the time, yes.

16 Q And when it came to the McCabes, Mr. and Mrs.,
17 what are their names?

18 A Jennifer and Matt McCabe.

19 Q How long have you known Jennifer and
20 Matt McCabe?

21 A About nine or ten years ago we met.

22 Q And at some point during the course of the
23 evening did your wife join you at the Waterfall as
24 well?

25 A She did.

1 Q Fair to say you took separate cars; is that
2 correct?

3 A We did, yes.

4 Q And about how long after you arrived did your
5 wife, Karina, arrive?

6 A I want to say it was about a half hour or so.
7 It was around 9:30 she arrived.

8 Q Now, with reference to this table that you
9 were referencing about eight to ten feet long -- is
10 that correct?

11 A Correct.

12 Q And was this is high-top, low-top? What kind
13 of table was that?

14 A It was a high-top table towards the bar end of
15 Waterfall. I don't know if it was the last table or
16 second to last table right before you hit the bar.

17 Q And, as far as the people that you've
18 described, the people that you knew or didn't know,
19 where were they sort of situated around the table?

20 A When I first walked in, I saw Matt since he
21 was the person I was most familiar with, then Jen.
22 Matt was standing towards the right side of the table
23 as you're walking in, towards the right side. So I
24 went to the right side of the table.

25 Q And is that essentially where you stayed for

1 the balance of most of the night?

2 A Yes.

3 Q And your wife, when she arrived, where did she
4 go in reference to the table?

5 A Initially she came to me, said hello. I think
6 she picked from my food. And then she gravitated, I
7 believe, towards the left side of the table where more
8 of the women were located.

9 Q And at some point following that was there
10 anyone else that you knew or were aware of that came
11 into the bar?

12 A Yes.

13 Q And about what time was that?

14 A Shortly before 11:00 or right around 11:00.

15 Q And who was that?

16 A It was John O'Keefe and Karen Read.

17 Q And these are people that you were familiar
18 with prior to that date?

19 A Yes.

20 Q And, just to be clear, when we're talking
21 about Karen Read, do you see Ms. Read in the courtroom
22 today?

23 A I do.

24 Q And could you describe just as to where she's
25 seated or an article of clothing she's wearing?

1 A She's seated at the table to my right, second
2 person in from the right.

3 MR. LALLY: I'd just ask the record reflect
4 identification of the defendant by the witness.

5 THE COURT: Yes.

6 MR. LALLY: Thank you.

7 BY MR. LALLY:

8 Q Now, how did you know John O'Keefe?

9 A John O'Keefe had adopted his niece and nephew.
10 His niece is the same age as my younger daughter and
11 they were playing basketball together. They've been
12 friends for years. I got to know John through my
13 daughter.

14 Q Now, as far as Ms. Read, when was it that you
15 met her and when was it that you became sort of aware
16 of her?

17 A Sure. I believe it was towards the end of the
18 summer of 2020. I dropped my daughter off at John's
19 place on Meadows. Karen was there. That's the first
20 time I met her. That was 2020.

21 Q And, with reference to yourself and your wife
22 as a couple and Mr. O'Keefe and Ms. Read, how often
23 would you sort of see them?

24 A As couples, not too often. I would see John
25 on a weekly basis during the basketball season,

1 sometimes multiple times a week during the basketball
2 season, but as couples maybe a couple of times we had
3 seen them.

4 Q So fair to say most of your interaction with
5 them would be at sort of sporting events or things for
6 the kids?

7 A Yes.

8 Q Now, as far as on that evening, obviously, you
9 went out, you had something to eat. Did you have
10 anything to drink as well?

11 A I did.

12 Q And do you recall sort of what you were
13 drinking that night?

14 A Captain and Coke.

15 Q And, as far as John O'Keefe, do you recall
16 sort of what he was drinking that night?

17 A Yes.

18 Q And what, if anything, do you recall him
19 drinking?

20 A Beer.

21 Q And is that sort of typical for Mr. O'Keefe?

22 A From the occasions we happened to be out on
23 events like that, yes.

24 Q Now, as far as Ms. Read, what, if anything,
25 did you observe her to be drinking at the Waterfall?

1 A She was holding a cup, a glass with clear
2 liquid.

3 Q And what was your understanding of what was in
4 the cup with the clear liquid?

5 A I don't know what was in there. I don't know
6 if it was water or an alcoholic drink. I don't know
7 for sure.

8 Q Now, as far as the sort of general demeanor
9 and atmosphere within the bar that night, how would you
10 describe that?

11 A Generally, it was a fun atmosphere. There was
12 a live band. Everybody was in a good mood. People
13 were singing to some of the music. So it was a fun
14 atmosphere.

15 Q And, specifically, you didn't observe anything
16 as far as arguing or anything between Mr. O'Keefe and
17 Ms. Read; is that correct?

18 A That is correct, I did not.

19 Q And you didn't observe anything as far as
20 arguing or anything between anyone at the bar that
21 night; is that correct?

22 A That is correct, I did not.

23 Q And, as far as Mr. O'Keefe was concerned, do
24 you recall what he was wearing when he was in the bar?

25 A Yes. He had a dark baseball cap, jeans,

1 sneakers, and some type of top, a longer sleeve top.

2 Q At any point in time you observe him to have a
3 winter coat or a jacket or anything like that?

4 A Not that I recall.

5 Q And, as far as his clothing was concerned,
6 what, if anything, did you observe as far as the
7 condition of that? Were there any tears or anything in
8 his clothing?

9 A No tears. Nothing unusual with the clothing.

10 Q And, as far as Mr. O'Keefe himself, what, if
11 any, injuries did you observe on him at that time that
12 you saw him at the bar?

13 A I didn't observe any injuries.

14 Q Now, as far as -- prior to them coming into
15 the Waterfall, do you have any idea sort of where they
16 were coming from?

17 A Yes, I do.

18 Q And how did you know that?

19 A I knew through Matt McCabe. Matt had said
20 that they were at Waterfall, at C.F. McCarthy's and
21 they were heading over for the live band and they were
22 coming over.

23 Q As far as the live band was concerned, about
24 how loud was it in the Waterfall during that time?

25 A It was fairly loud.

1 Q Now, towards the end of the night what, if
2 any, discussion did you observe or were you a part of
3 as far as sort of anywhere people were going afterward?

4 A Again, we were at this larger, you know,
5 eight, almost ten-foot table and most of the discussion
6 was happening towards the other side of the table. But
7 there were a couple of places that people were
8 discussing about going, potentially going.

9 Q And what were those couple places people were
10 discussing?

11 A One was back to -- one was to D&E's, which was
12 across the street, next to C.F. McCarthy's, and the
13 other one was 34 Fairview Road.

14 Q And, as far as D&E's, are you familiar with
15 that establishment?

16 A Yes, I am.

17 Q Okay. And what is it and where is it in
18 relation to the Waterfall?

19 A It's basically a sub shop, a pizza shop. It's
20 diagonally across the street from Waterfall.

21 Q And what, if any, relationship did D&E Pizza
22 have to anyone that you observed in the group that
23 night?

24 A Chris Albert, who was with the group, is one
25 of the owners, if not the owner, of D&E.

1 Q And, as far as going to that place afterward,
2 who, if anyone, among the group had sort of mentioned
3 that or was talking about that?

4 A I didn't hear specifically one person. It was
5 just generally coming from the group.

6 Q Did you hear the defendant at any point
7 talking about going there or wanting to go there?

8 A I heard from others that she had mentioned
9 about wanting to go there.

10 Q Now, you mentioned a couple of different
11 places. What was the other place?

12 A 34 Fairview Road.

13 Q And was it mentioned specifically as far as
14 that address, or how was it referenced?

15 A I believe it was mentioned. Brian Albert, the
16 homeowner, had invited the group back to his house. I
17 can't remember if it was come back to my house or come
18 back to 34 Fairview. That was the residence.

19 Q And, so, was that sort of an open invitation
20 to the group at the table?

21 A Yes.

22 Q And yourself and your wife, did either of you
23 go to Fairview Road to that night?

24 A We did not.

25 Q And at some point you left. Do you recall

1 about what time that you left the Waterfall?

2 A It was shortly after 12:00 o'clock, maybe
3 12:10 or so.

4 Q And when did you leave in reference to sort of
5 the rest of the group?

6 A Matt and I stayed back a little bit. We
7 helped clean up the table with the bottles and glasses.
8 We spoke to the band briefly, told them how well they
9 played. So we were a little bit later, maybe a few
10 minutes, a couple of minutes later than the rest of the
11 group.

12 Q And when you exited did you know where your
13 wife was in relation --

14 A I did. I knew where she was.

15 Q Where was she?

16 A She was parked out front on Washington Street.

17 Q So you were parked in the lot and she was
18 parked on Washington Street; is that correct?

19 A Yes. Yes.

20 Q And when you came outside what, if anything,
21 did you observe about sort of the weather or what was
22 going on at that point?

23 A It was very cold and it just started to snow.
24 I don't even think there was a dusting on the ground,
25 barely a dusting on the ground.

1 Q And, so, at that point could you still sort of
2 see like the blacktop on the pavement?

3 A Yes.

4 Q When you got to your car what, if anything,
5 did you have to do to sort of get your car ready to go,
6 clean off your car or anything like that?

7 A I didn't need a scraper or anything. I just
8 turned on my windshield wipers and cleaned the snow
9 off.

10 Q Now, as far as you mentioned that you and
11 Mr. McCabe were sort of the last to leave from the
12 group, do you know what order sort of the rest of the
13 group had left in?

14 A Generally, yes.

15 Q And generally what do you recall?

16 A There was a larger group that left right
17 before us. My wife was part of that group. Jen was in
18 that group and Karen was in that group.

19 Q You mentioned that your wife was sort of
20 gravitated towards the other end of the table where
21 some of the other women were at; is that correct?

22 A Yes, that's correct.

23 Q And, so, who was, as far as the women that
24 you're referencing, who was in that group that your
25 wife was conversing with?

1 A I know Karen was part of that group and
2 Jennifer was part of that group as well.

3 Q And that would be Jennifer McCabe; is that
4 correct?

5 A That's correct, yes.

6 MR. LALLY: Your Honor, with the Court's
7 permission, I'd just like to publish just a brief
8 portion of Exhibit 53, the surveillance video.

9 THE COURT: Okay.

10 MR. LALLY: Ms. Gilman, if I could have
11 Exhibit 53 up on the screen, and specifically if I
12 could have from Channel 3 the second video down?
13 And if you could put that at approximately
14 10:59 p.m.? Thank you. And, when it gets to
15 10:59, if you could just pause it there.

16 (Whereupon, the video was played and paused.)

17 MR. LALLY: Thank you, Ms. Gilman.

18 BY MR. LALLY:

19 Q So, Mr. Kolokithas, what's up on the screen as
20 Exhibit 53, do you recognize that?

21 A Yes, I do.

22 Q And what do you recognize it to be?

23 A It's the inside of the Waterfall Bar.

24 Q And before you on that desk, I believe, there
25 should be a laser pointer.

1 A Yes.

2 Q So if you could just grab that and sort of
3 click the button on top when I ask you to.

4 A Yes.

5 Q So, with reference to this video, do you see
6 yourself within this video?

7 A Yes, I do.

8 Q If you could just draw the jury's attention to
9 sort of where you are in this video?

10 A Black and white shirt.

11 Q And, from that specific area of sort of where
12 you are, do you recognize anybody else in that sort of
13 general area of the frame?

14 A Yes, I do.

15 Q And if you could just draw the jury's
16 attention to who you recognize and where they are?

17 A I believe that's Matt McCabe right there to my
18 right and John O'Keefe to my left, in front of me to my
19 left.

20 Q Now, that area of the table where you've
21 indicated your wife was with another group of women
22 further away from you, where would that be, if you see
23 it?

24 A The numbering is there, so I can't really see,
25 but it was towards this side (Indicating).

1 Q And further down the table, is that where
2 people that you were less familiar with, is that where
3 they were?

4 A Correct, yes.

5 Q Thank you.

6 MR. LALLY: Ms. Gilman, you can take that
7 down.

8 Thank you, sir. I have no further questions.

9 THE COURT: Cross-examination.

10 MR. JACKSON: Thank you.

11 CROSS-EXAMINATION

12 BY MR. JACKSON:

13 Q Good afternoon, Mr. Kolokithas.

14 A Good afternoon.

15 Q Mr. Kolokithas, you and I have never actually
16 met?

17 A We have not.

18 Q We've never had a conversation?

19 A Have not.

20 Q We've certainly never had an interview about
21 this case?

22 A Have not.

23 Q So this is our first time visiting about this
24 situation?

25 A Yes.

1 Q When did you say you first met Ms. Read?

2 A I believe it was towards the end of the summer
3 of 2020.

4 Q Okay. And that was over at an event at
5 Mr. O'Keefe's house?

6 A I don't know if it was John's niece's birthday
7 party or so, but I was dropping my daughter off at
8 John's house.

9 Q Okay. That sort of dovetails into my next
10 question. You and your wife and y'all's kids did have
11 some sort of relationship with Mr. O'Keefe,
12 Ms. Read, and Mr. O'Keefe's niece and nephew?

13 A Yes.

14 Q In other words, the kids got along well?

15 A Yes, absolutely. And they're still friends.

16 Q And, as the adults, you wanted to make sure
17 that you could facilitate play dates, get-togethers,
18 things of that nature for the children?

19 A Yes.

20 Q As a matter of fact, do you remember a
21 situation in which Ms. Read had arranged a relatively
22 elaborate 13th birthday party for Mr. O'Keefe's niece,
23 a scavenger hunt of some sort?

24 MR. LALLY: Objection.

25 THE COURT: I'm going to see counsel at

1 sidebar, please.

2 (Whereupon, there was a sidebar conference as
3 follows:)

4 THE COURT: And so thirteenth birthday. It
5 would be right around the same timing, right?

6 MR. JACKSON: Correct.

7 THE COURT: What is the objection?

8 MR. LALLY: I don't know that what -- she was
9 14 at the time. So that would have been probably
10 at least a year before.

11 THE COURT: Okay. What's the nature of the
12 objection?

13 MR. LALLY: I just don't know how any of this
14 is relevant or how it isn't sort of back-door
15 character evidence as it relates to the defendant.

16 THE COURT: Where are you going with that?

17 MR. JACKSON: Just along that question how --
18 it's a deeper understanding of the nature of the
19 relationship and how Mr. Kolokithas knows Ms. Read
20 and knows Mr. O'Keefe and how they connected. He
21 indicated on direct examination, as couples, we
22 didn't do all that much together.

23 I want to make sure that the jurors understand
24 that he did have a connection with Mr. O'Keefe and
25 Ms. Read as a couple. He visited the kids, and

1 this was sort of a bigger event in their lives.

2 This is the only question I'll be asking about it.

3 THE COURT: Okay. So I'll let you have this
4 question.

5 MR. JACKSON: Thank you.

6 (Whereupon, the sidebar conference concluded.)

7 MR. JACKSON: May I, Your Honor?

8 THE COURT: Yes.

9 BY MR. JACKSON:

10 Q With regard to the last question I asked, you
11 recall an event in which Ms. Read had organized a
12 relatively elaborate 13th birthday party for
13 Mr. O'Keefe's niece; correct?

14 A Yes.

15 Q And one of your children was actually invited
16 to that?

17 A Yes.

18 Q Did you actually go and accompany your child
19 at the 13th birthday party?

20 A I did not.

21 Q Did your wife?

22 A I don't know. She generally keeps a social
23 calendar for the kids, but I don't know.

24 Q So it could have been a situation,
25 Mr. Kolokithas, in which you just dropped the child off

1 --

2 A Yes.

3 Q -- and they enjoy the birthday party?

4 A Correct.

5 Q Okay. Fair enough.

6 But you had no problems or no qualms with
7 Ms. Read and Mr. O'Keefe being caretakers over your
8 children?

9 A Absolutely not.

10 Q Okay. You said that you didn't socialize as
11 couples all that often, but there were times in which
12 you did socialize with them?

13 A Yes.

14 Q About how many times, would you say?

15 A A handful of times, maybe.

16 Q Okay. Five or six?

17 A If that.

18 Q Over the course of how long?

19 A Since 2020 to 2022, two years. Less than two
20 years.

21 Q Focusing your attention more toward the end of
22 that time period that you just mentioned, toward 2022,
23 when you socialized with Ms. Read and Mr. O'Keefe did
24 you ever see any sort of tension between the two of
25 them?

1 A Not at all.

2 Q Did they seem like a normal loving couple?

3 A Absolutely.

4 Q Did they seem like they were affectionate,
5 normally affectionate with one another?

6 A Absolutely.

7 Q Did you ever have any question about the
8 nature of their relationship, any toxicity in the
9 relationship or any overt indicators that they weren't
10 getting along?

11 A Not to my knowledge, not at all.

12 Q As a matter of fact, you spent more time with
13 Mr. O'Keefe --

14 A Yes.

15 Q -- than anybody else in the foursome; correct?

16 A Yes.

17 Q Okay.

18 A Other than my wife in the foursome.

19 Q That's a good catch. You were going to pay
20 for that later. Fair enough.

21 A You get brownie points for that.

22 Q Yes.

23 Let me see if I can restate it a little bit
24 better. Between Mr. O'Keefe and Ms. Read, you spent
25 more time with Mr. O'Keefe?

1 A Yes.

2 Q Fair enough.

3 You knew that Mr. O'Keefe and Ms. Read had
4 rekindled a previous relationship from years earlier?

5 A Yes, I did.

6 Q And you knew that Mr. O'Keefe was excited
7 about that?

8 A Yes.

9 Q I want to draw your attention to the late
10 night hours of January 28th, going into the early
11 morning hours of January 29th, if I could, specifically
12 at the Waterfall. Did you get to the Waterfall before
13 Mr. O'Keefe and Ms. Read got there?

14 A Yes, I did.

15 Q How long before?

16 A So I got there around 9:00 and they got there
17 shortly before 11:00. So two hours.

18 Q While at the Waterfall did you have an
19 opportunity to speak with Ms. Read or Mr. O'Keefe just
20 in normal conversation?

21 A Yes, I did.

22 Q You engaged both of them as a matter of fact;
23 didn't you?

24 A Yes.

25 Q Was there a time in which Ms. Read was

1 actually singing John's praises that night --

2 A Yes.

3 Q -- talking about what a great dad he was?

4 A Yup.

5 MR. LALLY: Objection. Move to strike.

6 THE COURT: I'm going to strike that. Next
7 question.

8 BY MR. JACKSON:

9 Q At any point did you have an opportunity to
10 hear Mr. O'Keefe talk about Ms. Read and the nature of
11 their relationship or any events surrounding their
12 relationship?

13 MR. LALLY: Objection.

14 THE COURT: I'm going to allow it.

15 A I had heard that they were planning vacations
16 in the future.

17 Q Were you aware of the time frame of those
18 vacations in the future, next week, next month, next
19 year?

20 MR. LALLY: Objection, Your Honor. May we
21 approach?

22 THE COURT: Okay.

23 Jurors, feel free to stand up and stretch.
24 (Whereupon, there was a sidebar conference as
25 follows:)

1 MR. LALLY: Your Honor, I'd move to strike any
2 of this testimony as I don't believe this witness
3 is testifying from him overhearing. So when he was
4 asked, what have you heard of Mr. O'Keefe, his
5 answer is essentially nonresponsive in the sense
6 that he stating, I had heard that. There is no
7 indication as to he had heard it from Mr. O'Keefe
8 or who he had heard it from or even -- I don't know
9 if we are talking about the same evening or if this
10 is something that he had heard subsequent. I'm not
11 aware of any conversation that night about
12 vacations with anybody and this witness.

13 THE COURT: What do you say?

14 MR. JACKSON: I was asking the question of
15 what Mr. O'Keefe had told him that evening and
16 that's what I was focused on. That was his answer.
17 I certainly can follow up with one question, was
18 that directly from Mr. O'Keefe on this night or
19 otherwise.

20 THE COURT: This is just pure hearsay. The
21 initial one was the nature of the relationship. So
22 let's move on. It's excluded.
23 (Whereupon, the sidebar conference concluded.)

24 MR. JACKSON: May I, Your Honor?

25 THE COURT: Yes.

1 MR. JACKSON: Thank you.

2 BY MR. JACKSON:

3 Q There was nothing eventful at the bar while
4 you were at the bar with Mr. O'Keefe and Ms. Read that
5 comes to mind in terms of any kind of tension or fight
6 that night?

7 A Tension or fight, absolutely not.

8 Q No argument that was audible to you?

9 A Absolutely not.

10 Q You didn't see any body language between the
11 two of them that would suggest an argument or fight or
12 tension?

13 A In fact, I noticed the opposite.

14 Q Describe that.

15 A They were affectionate toward each other,
16 loving toward each other, and to the point where my
17 wife even made a comment why are you not like that with
18 me.

19 Q You had something to live up to?

20 A Yes. That's why I needed the brownie points
21 earlier.

22 Q There you go.

23 I want to shift gears for a second and
24 pinpoint another time at the bar. Was there a time at
25 the bar where you noticed any individuals with their

1 fists up and engaged in some sort of conduct that looks
2 a little like this (demonstrating)?

3 A No, I didn't notice that.

4 Q You don't recall that?

5 A No.

6 Q Sparring with one another?

7 A Not that I saw?

8 Q Wrestling?

9 A Not that I saw.

10 Q Okay. I'd like, if I could, Mr. Kolokithas,
11 and with the Court's permission, refer to Exhibit 53.

12 THE COURT: Okay.

13 MR. JACKSON: There are several -- Your Honor,
14 so the record is clear --

15 THE COURT: If you are going to talk about it

16 --

17 MR. JACKSON: I am not.

18 THE COURT: Okay.

19 MR. JACKSON: This is the clip ending in 5959,
20 because there are several clips in 53.

21 THE COURT: Okay.

22 MR. JACKSON: With the Court's permission, I'd
23 like to display this to the jury at run time
24 8:30, 8 minutes and 30 seconds.

25 THE COURT: All right. So what exhibit is

1 this?

2 MR. JACKSON: This is 53, and it's clip ending
3 in 5959.

4 May I play this for the jury?

5 THE COURT: Yes.

6 MR. JACKSON: Thank you.

7 BY MR. JACKSON:

8 Q I'm going to play about 10 seconds,
9 Mr. Kolokithas, and then stop it and ask you a couple
10 of questions.

11 A Sure.

12 (Whereupon, the video was played.)

13 MR. JACKSON: Okay. If we could pause?

14 (Whereupon, the video was paused.)

15 BY MR. JACKSON:

16 Q I just wanted to play a couple of seconds to
17 see if you recognize what's displayed in this video.

18 A Yes, I do.

19 Q How do you recognize it?

20 A How do I recognize? I was there that night.

21 Q I guess my question is, do you recognize this
22 as being a surveillance video from the 28th, going into
23 the morning of the 29th?

24 A Yes, I do.

25 Q Okay. I'm going to draw your attention to the

1 individuals that are toward the top. Okay. If I could
2 draw your attention to the individuals at the top, can
3 you name the folks that we're seeing and describe what
4 they're wearing for the jurors so we have an
5 understanding of who we're looking at?

6 A Okay. That's me in the white and black.
7 That's Matt to my right. I'm a little hard of seeing,
8 but I think that's John right there. And I thought I
9 saw Karen earlier right in this area while you were
10 displaying the video.

11 Q And what about the two gentlemen with their
12 backs to us?

13 A I know I met them that evening, but I can't
14 tell from behind like this.

15 Q Understood.

16 MR. JACKSON: With the Court's permission,
17 could we just go ahead and play this through? I'd
18 like to run it through to about the run time of
19 11:08, but I'll ask that the video be paused
20 momentarily?

21 THE COURT: 11:08? So just one more second?

22 MR. JACKSON: Run time. Sorry. Run time
23 11:08. So probably about four minutes.

24 THE COURT: Okay.

25 MR. JACKSON: Three minutes, four minutes.

1 May I?

2 THE COURT: Yes.

3 MR. JACKSON: Thank you.

4 (Whereupon, the video was played.)

5 MR. JACKSON: Can you pause it?

6 (Whereupon, the video was paused.)

7 BY MR. JACKSON:

8 Q Having seen this run forward just a little
9 bit, do you see an individual here with long hair?

10 A It's hard --

11 THE COURT: You're squinting. Are you having
12 difficulty?

13 THE WITNESS: Yes, I am having difficulty.

14 A Could you blow it up a bit?

15 Q I don't think so. Our technology is good, but
16 I'm getting a shake of the head.

17 A My eyes are not good.

18 Q Join the club.

19 MR. JACKSON: Let's just go ahead and play it
20 forward, with the Court's permission.

21 THE COURT: All right.

22 But if you can't see it, I don't want you to
23 guess.

24 A So are you talking right here (Indicating)?

25 Q Yes.

1 A That looks like Karen.

2 Q Okay.

3 MR. JACKSON: Can we play it forward, Your
4 Honor?

5 THE COURT: Yes.

6 (Whereupon, the video was played.)

7 MR. JACKSON: Pause it.

8 (Whereupon, the video was paused.)

9 BY MR. JACKSON:

10 Q I ask you to draw your attention to the two
11 gentlemen in the foreground right there. Can you
12 describe what they're doing?

13 A It looks like they're in a stance that you
14 described earlier with fists up.

15 MR. LALLY: Objection, Your Honor. May we
16 approach?

17 THE COURT: Okay. So I'm sustaining that
18 objection. Come forward.

19 (Whereupon, there was a sidebar conference as
20 follows:)

21 THE COURT: What did you want to approach for?

22 MR. LALLY: Your Honor, essentially what
23 counsel has asked, whether or not he saw this or
24 observed this that night, he answered that he did
25 not. So then showing the video, something that he

1 doesn't recall seeing or recognizing and
2 essentially having to narrate what he observes on
3 the screen is inappropriate. It's not --

4 THE COURT: He can barely see. He's squinting
5 at it. He doesn't know who they are. The video
6 speaks for itself. I'm not letting this witness
7 narrate this.

8 MR. JACKSON: I'm not asking to narrate it.
9 I'm asking to look at see if -- I haven't gotten to
10 the point where -- and I'm trying to establish the
11 foundation, authenticate for this.

12 THE COURT: You're asking him what he's
13 seeing. I'm not letting that --

14 MR. JACKSON: Correct. The next question is,
15 are you in this video and are you staring directly
16 at those two men. I believe, I have a good-faith
17 belief, that he is going to say, yes, I recognize
18 it. I had forgotten that they did this. He
19 literally engages --

20 THE COURT: Okay. Hold on. You can ask him
21 that question. I don't want him narrating that
22 they are in that stance.

23 MR. JACKSON: Okay. How do you want him to
24 describe --

25 THE COURT: You can ask him if that's him and

1 if he was looking at somebody. The second part of
2 your question is fine.

3 MR. JACKSON: Okay.

4 THE COURT: The law is that he has to be able
5 to assist the jury better than any position that
6 they are in. He said he doesn't see them. This is
7 clear. People can see what these two men are
8 doing, people except for this witness.

9 MR. JACKSON: Okay.

10 (Whereupon, the sidebar conference concluded.)

11 MR. JACKSON: May I, Your Honor?

12 THE COURT: Yes.

13 BY MR. JACKSON:

14 Q Another question. And if you're having
15 trouble seeing just let me know. Do you see the person
16 in the far right?

17 A Yes, I do.

18 Q Who is that?

19 A Me.

20 Q And what do you seem to be or what do you
21 appear to be looking at, if anything?

22 A I appear to be looking in that direction.

23 Q Okay.

24 MR. JACKSON: We're going to play this
25 forward.

1 (Whereupon, the video was played.)

2 MR. JACKSON: Pause.

3 (Whereupon, the video was paused.)

4 BY MR. JACKSON:

5 Q Mr. Kolokithas, do you recall engaging in the
6 two men, sorry, engaging with the two men in any sort
7 of conversation, the two men with their backs facing to
8 us?

9 A I mean, I can see it. I honestly do not
10 recall it.

11 Q Okay. Do you recall ever being introduced to
12 those two gentlemen?

13 A Yes.

14 Q Who are they?

15 A Brian Albert, Brian Higgins.

16 Q And which one is which, left and right?

17 A Left is Albert; right is Higgins.

18 Q Okay.

19 (Whereupon, the video was played.)

20 MR. JACKSON: Pause it.

21 (Whereupon, the video was paused.)

22 BY MR. JACKSON:

23 Q Mr. Kolokithas, can I draw your attention to
24 the upper right? Do you recognize any person facing
25 the camera in the upper right corner?

1 A Yes, I do.

2 Q Who is that?

3 A John O'Keefe.

4 MR. JACKSON: About 30 more seconds, Your
5 Honor.

6 THE COURT: Okay.

7 (Whereupon, the video was played.)

8 MR. JACKSON: Your Honor, we've paused at
9 11:08. If I could ask a couple of other questions?
10 And I think we can leave the lights down because
11 I'm going to ask, with the Court's permission,
12 another clip be played.

13 BY MR. JACKSON:

14 Q Mr. Kolokithas, you indicated that you don't
15 recall the events that you're seeing. Is that still
16 the case or has your recollection been refreshed about
17 what you were witnessing?

18 A I honestly don't remember what appears to be
19 play fighting.

20 Q Fair enough.

21 MR. JACKSON: If we could move to run time
22 16:36 with the Court's permission?

23 THE COURT: Okay.

24 (Whereupon, the video was played.)

25 MR. JACKSON: And pausing.

1 (Whereupon, the video was paused.)

2 BY MR. JACKSON:

3 Q Do you see yourself in the upper right-hand
4 corner?

5 A Yes, I do.

6 Q And do you see the two people, the two
7 individuals, Brian Albert and Brian Higgins, in the
8 foreground?

9 A Yes, I do.

10 MR. JACKSON: Let it run.

11 (Whereupon, the video was played.)

12 MR. JACKSON: Pause it.

13 (Whereupon, the video was paused.)

14 BY MR. JACKSON:

15 Q Do you see at this point, and I know it's
16 difficult, do you see John O'Keefe anywhere in the
17 frame at this juncture?

18 A I do not see him.

19 Q Okay.

20 MR. JACKSON: Play it.

21 (Whereupon, the video was played.)

22 MR. JACKSON: Then pause.

23 (Whereupon, the video was paused.)

24 BY MR. JACKSON:

25 Q And now taking a look at the individual in the

1 top of the screen, do you see that person?

2 A Yes, I do.

3 Q Who is that?

4 A John O'Keefe.

5 Q And what direction -- is he facing us or
6 facing away from us?

7 A He's facing us. It looks like he's facing us.

8 Q So he would be facing the two individuals with
9 their back to us?

10 A Yes.

11 Q Okay. And he appears to be standing across
12 the table, across the bar table?

13 A Yes.

14 MR. JACKSON: Can we play that for a second?

15 (Whereupon, the video was played.)

16 MR. JACKSON: Now let's pause it.

17 (Whereupon, the video was paused.)

18 BY MR. JACKSON:

19 Q I would ask you who this individual is with
20 the fur coat --

21 A My wife.

22 Q -- on the coat?

23 A That's my wife.

24 Q Okay. And are you still in the same spot,
25 upper right-hand corner?

1 A Yes, I am.

2 Q And where is Mr. O'Keefe?

3 A Across. He's now facing the other way --

4 Q Thank you.

5 A -- away from us.

6 MR. JACKSON: We can take this down.

7 BY MR. JACKSON:

8 Q With regard to what you just saw, the second
9 incident of what appeared to be two individuals
10 touching each other, did you engage in any sort of
11 roughhousing or play fighting that night?

12 A I did not.

13 Q Did you engage in any grappling or wrestling
14 that night?

15 A I did not.

16 Q Did you see John O'Keefe engage in any
17 wrestling or grappling or play fighting?

18 A I do not recall him doing that.

19 Q Or do you recall him doing any sparring?

20 A I do not recall him doing that.

21 Q Do you recall him ever putting his fists up
22 toward any other person in that bar that night?

23 A I do not recall him doing that.

24 Q Thank you.

25 MR. JACKSON: That's all I have for this

1 witness, Your Honor.

2 THE COURT: All right.

3 MR. JACKSON: Oh, just a moment. I'm sorry.
4 I'm fine. Thank you, Your Honor.

5 THE COURT: Mr. Lally, any followup?

6 MR. LALLY: Just briefly, Your Honor.

7 REDIRECT EXAMINATION

8 BY MR. LALLY:

9 Q Mr. Kolokithas, as far as your observations of
10 Mr. O'Keefe and Ms. Read and their relationship, you
11 saw what they sort of depicted in public; correct?

12 A Yes.

13 Q So fair to say did you ever have any sort of
14 substantial conversations with either Mr. O'Keefe or
15 Ms. Read about their relationship?

16 A Personal relationship, no, I did not.

17 Q And anything as far as your personal
18 relationship with your wife, is that something that you
19 would have shared or discussed with Mr. O'Keefe or
20 Ms. Read?

21 A I'm not sure. Are you asking me if I knew
22 something about their relationship I would share with
23 my wife or vice versa?

24 A No. What I'm asking is from the other side.
25 Okay. So you didn't discuss really Mr. O'Keefe and

1 Ms. Read's relationship with them; correct?

2 A Correct.

3 Q And, so, what I'm asking now is, you didn't
4 discuss your own relationship with your wife with
5 Mr. O'Keefe or Ms. Read; correct?

6 A That is correct.

7 Q Okay. Now, with reference to what you were
8 just shown up on the screen, that was so memorable that
9 you testified you don't have a memory of it; correct?

10 A Which part?

11 Q Whatever that was between two individuals play
12 fighting?

13 A I do not recall it.

14 Q And, as far as yourself within that video, did
15 you observe yourself appear to sort of be laughing
16 while that was going on?

17 A I did. I don't know if I was necessarily
18 looking at them or the other side of the table, but,
19 yes, I did observe myself laughing.

20 MR. LALLY: Nothing further.

21 MR. JACKSON: Your Honor, may we approach
22 briefly?

23 THE COURT: You may.

24 (Whereupon, there was a sidebar conference as
25 follows:)

1 MR. JACKSON: I only have one question on
2 recross based on Mr. Lally's second-to-the-last
3 area that he covered. He indicated that -- he
4 asked the question did he have any substantial
5 conversation with Karen Read or John O'Keefe about
6 the nature of their relationship on the witness
7 stand. No. That is not true. And Mr. Lally just
8 opened the door.

9 THE COURT: What do you expect the answer to
10 be?

11 MR. JACKSON: Karen Read specifically said,
12 quote -- I'm sorry. He said, and you've got the
13 grand jury quote, Karen told him -- she was
14 actually singing John's praises. I'm sorry. I
15 misrecorded that. It's not that she told him. He
16 said, quote, Karen Read was singing John's praises
17 about how good a parent he was, a father figure and
18 taking care of the kids for several years and, you
19 know, being -- and praising him and sacrificing his
20 life to raise them. She is singing his praises
21 about what a good man, which is indicative about
22 the nature of the relationship.

23 THE COURT: What do you say, Mr. Lally?

24 MR. LALLY: I don't think it has anything to
25 do with the nature of their relationship. What I

1 was asking about was sort of the status of the
2 relationship or any issues within that
3 relationship, not whether or not she liked him or
4 admired him.

5 MR. JACKSON: Your Honor, the entire
6 Commonwealth's case is that five minutes after this
7 video was played and five minutes after this event
8 closed down, she drove to 34 Fairview and murdered
9 him. This is absolutely --

10 THE COURT: I am going to allow this in and
11 then we are ending everything.

12 MR. JACKSON: Thank you.

13 (Whereupon, the sidebar conference concluded.)

14 THE COURT: Just exactly what you said. No
15 build-up.

16 RECROSS-EXAMINATION

17 BY MR. JACKSON:

18 Q Mr. Kolokithas, just one more question. You
19 testified previously at another hearing that
20 Karen Read, quote, "was actually singing John's praises
21 about how good of a person he was, a father figure, for
22 taking in the kids several years ago and, you know,
23 being there for them and praising them and sacrificing
24 his life to raise them", end quote. Do you remember
25 saying that?

1 A Yes, I do.

2 Q Is that true?

3 A A hundred percent.

4 Q Thank you.

5 MR. JACKSON: That's all I have.

6 THE COURT: All right, Mr. Kolokithas, you are
7 all set.

8 THE WITNESS: Thank you.

9 (Whereupon, the witness is excused.)

10 THE COURT: Your next witness, Mr. Lally?

11 MR. LALLY: Yes, Your Honor. The Commonwealth
12 would call Ms. Karina Kolokithas to the stand.

13 Whereupon,

14 KARINA KOLOKITHAS

15 having been first duly sworn, was examined and
16 testified as follows:

17 THE COURT: Okay. Whenever you're ready,
18 Mr. Lally.

19 MR. LALLY: Thank you, Your Honor.

20 DIRECT EXAMINATION

21 BY MR. LALLY:

22 Q Good afternoon, ma'am.

23 A Good afternoon.

24 Q Could you please state your name and spell
25 your last name for the jury?

1 A It's Karina Kolokithas, K-O-L-O-K-I-T-H-A-S.

2 Q And where is it that you live, ma'am?

3 A I live in Canton.

4 Q And how long have you lived in Canton?

5 A We've lived in Canton for about 13 years, I'm
6 sorry, 21 years.

7 Q And, when you say "we," who, if anyone, do you
8 live in Canton with?

9 A I live with my husband and my two daughters.

10 Q And what's your husband's name?

11 A His name is Nicholas.

12 Q And how many daughters do you have?

13 A I have two.

14 Q And about how old are they?

15 A Eighteen and [REDACTED]

16 Q And do you work, ma'am?

17 A I do work.

18 Q And what do you do for work?

19 A I'm a pharmacist.

20 Q And your husband works as well?

21 A He does.

22 Q And what does he do?

23 A He's an attorney.

24 Q Now, if I could turn your attention to
25 January 28th, into January 29th of 2022, do you recall

1 those days?

2 A I do.

3 Q And do you recall what day of the week those
4 were?

5 A It was a Friday and a Saturday.

6 Q And specific to the Friday, did you work that
7 day?

8 A I did work that day.

9 Q And after you left work, where did you go from
10 there?

11 A I went to the Canton Junction.

12 Q And why did you go there?

13 A We got a text saying some parents from the
14 varsity team were going to be meeting up there, so I
15 thought it would be a good idea to go and stop by and
16 grab something to eat before the game.

17 Q And, when you say "varsity team," which sport
18 was that?

19 A It's basketball.

20 Q And was that your older daughter or younger
21 daughter that was on that team?

22 A My older daughter played on that team.

23 Q So at some point there was a game for the
24 varsity girls' baseball team?

25 A That's correct.

1 Q And where was that game that night?

2 A At Canton High.

3 Q And do you recall who they played that night?

4 A They played Foxborough.

5 Q And do you recall when the game was?

6 A You mean time?

7 Q Yes.

8 A 6:30.

9 Q And, so, you mentioned that you went to the
10 Canton Junction for about an hour or so. About what
11 time did you get to the Canton Junction?

12 A I believe I got there around 6:00. I'm not
13 sure.

14 Q And following the Canton Junction, where did
15 you go from there?

16 A Went to Canton High to watch my daughter play.

17 Q And within sort of the stands at the Canton
18 High girls' varsity basketball game were there certain
19 people that you would typically sort of sit with when
20 you watch the game?

21 A We would just sit with whoever we knew.
22 Usually it was the parents of the girls that played on
23 the varsity team.

24 Q And who are some of those parents that you
25 would sit with?

1 A Some of them were the McCabes, the
2 Fitzgeralds, people like that.

3 Q And the McCabes, what are their names?

4 A Jen, Jennifer, and Matt McCabe.

5 Q And how long had you and your family known the
6 McCabes?

7 A I think we've known them for about nine years
8 or so.

9 Q And did they have a daughter on the team as
10 well?

11 A They did.

12 Q And so you arrive to the game. As far as your
13 husband was concerned, did you observe him there?

14 A He was there already.

15 Q And where did you go to sit?

16 A I went -- I don't exactly remember where I
17 went to sit. In the vicinity of my husband and those
18 parents.

19 Q And following that game, where did you go from
20 there?

21 A So after the game we went -- usually at the
22 end of the game we'd go down, talk to the players,
23 congratulate them. And then I told everybody I was
24 going home.

25 Q And did you in fact go home?

1 A I did go home.

2 Q And after you arrived home, what, if anything,
3 happened then?

4 A I started getting text messages from my
5 husband and he said that some of the parents were going
6 to go to grab something to eat and I should go.

7 Q And what, if any, hesitation did you have
8 about that?

9 A I was tired. I worked all day. Pretty much I
10 was done. So I had already almost started changing out
11 of my clothes and I said I wasn't going to go.

12 Q And eventually did you decide to go?

13 A My kids told me to go. They did. They
14 actually -- they said to me you never go out, you don't
15 do anything, dad is by himself, you should go and just
16 keep him company while he eats dinner. So that's what
17 I did.

18 Q And, so, based on that you decided to go?

19 A I did --

20 Q Okay. And where --

21 A -- reluctantly.

22 Q I'm sorry. I didn't mean to speak over you.

23 A Sorry. Reluctantly, I went.

24 Q And where is it that you went?

25 A So that's when I went to C.F. -- I'm sorry. I

1 went to the Waterfall. I'm sorry. I'm a little
2 nervous.

3 Q And the Waterfall, is that somewhere you had
4 been before?

5 A I had been to the Waterfall before.

6 Q And where is that located in the town of
7 Canton?

8 A It's on Washington Street in Canton.

9 Q And, so, obviously, your husband was already
10 there. You took separate cars; is that correct?

11 A That is correct.

12 Q And about what time is it that you got to the
13 Waterfall?

14 A I believe I got to the Waterfall around 9:30
15 that night.

16 Q And where did you park your car in relation to
17 the Waterfall?

18 A So I actually found parking right on
19 Washington Street, and I was across the street from the
20 Waterfall.

21 Q And, when you arrived and when you came in,
22 who, if anyone, did you recognize sort of when you
23 first came into the Waterfall?

24 A So I walked into the Waterfall and pretty much
25 I didn't know anybody except for Matt McCabe, Jennifer

1 McCabe and my husband.

2 Q And, if you could, describe for the jury sort
3 of when you walk in the door the people that you knew
4 as far as your husband and the McCabes. Where were
5 they in relation to -- you walk in the door, where are
6 they?

7 A So you walk in the door. There was a band in
8 front playing. And then they were -- there were high-
9 top tables, and they were at the back of the high-top
10 tables.

11 Q And if I was standing sort of at the doorway
12 of the Waterfall, the entranceway in, and facing those
13 high-top tables, which side were your husband and the
14 McCabes on from that perspective?

15 A On the right. I believe the band was playing
16 on the -- if you walked in the door, the band was in
17 like the top part of the -- like on the left and they
18 were on the right.

19 Q And the band that was playing that night, fair
20 to say it was fairly loud in there?

21 A It was extremely loud in there, yes.

22 Q And as far as -- obviously, you're at a bar.
23 People are drinking; is that correct?

24 A That is correct.

25 Q Okay. And what, if anything, did you have to

1 drink that night?

2 A I drank water that night.

3 Q And why was that?

4 A I typically don't drink a lot. I suffer from
5 migraines, so one, like, alcoholic beverage sometimes
6 can set me off for days, so I chose water.

7 Q Now, as far as that high-top table that you
8 went to with your husband and the McCabes, were there
9 other people at that table?

10 A There were other people there.

11 Q Okay. And did you know or recognize any of
12 those other people at the table?

13 A So it was pretty much all of Jennifer McCabe's
14 family. I did not know them. Maybe I had seen them
15 around town and stuff like that. But I didn't know
16 anybody other than my husband and Matt and Jen.

17 Q So fair to say that you sort of gravitated or
18 stayed towards that end of the table?

19 A That is correct. I talked to them for a bit.
20 And then I think Jen started introducing me to some
21 people and I met some of her family.

22 Q Now, as far as sort of the overall sort of
23 demeanor within the bar that night and within the group
24 that you were at the high-top table with, how would you
25 describe it?

1 A Everybody was happy, having a good time.

2 Q So no arguments amongst anybody at any time
3 that you saw throughout the entire time you were there?

4 A The whole time I was there, there was no
5 issues at all.

6 Q Now, at some point later on in the evening
7 who, if anyone else, that you recognized or knew came
8 into the bar?

9 A So I believe -- I was actually about to leave,
10 and that's when Karen and John came in.

11 Q And, just to be clear, when you say "Karen,"
12 you mean Karen Read; is that correct?

13 A That is correct.

14 Q And, just to be clear, we're talking about --
15 do you see Karen Read in the courtroom today?

16 A I do.

17 Q And could you just identify as to where she's
18 seated or an article of clothing she's wearing?

19 A She's sitting right there (Indicating).

20 MR. LALLY: I'd just ask the record reflect
21 identification.

22 THE COURT: Okay.

23 BY MR. LALLY:

24 Q Now, Mr. O'Keefe, John O'Keefe, how did you
25 know him?

1 A So John, his niece and my younger daughter
2 were friends.

3 Q Were friends, are friends?

4 A They are friends.

5 Q And about how long have you known
6 John O'Keefe?

7 A John we've probably known for eight years or
8 so.

9 Q And, if you recall, when was it about that you
10 had met the defendant, Ms. Read?

11 A I met Ms. Read at -- I'm not sure exactly the
12 first -- I think the first time I met her was
13 Jen McCabe's house.

14 Q And, if you know, about when was that in
15 reference to this date of January 28th, 2022?

16 A I believe I met her sometime in 2020.

17 Q So sometime in 2020 at Ms. McCabe's house?

18 A That is correct.

19 Q Okay. And how would you describe sort of the
20 nature of your relationship between either yourself and
21 Mr. O'Keefe or yourself and -- who did you know better,
22 Mr. O'Keefe or Ms. Read?

23 A I knew Mr. O'Keefe better. We saw him all the
24 time. My daughter would have play dates with his
25 niece. My husband coached basketball that his niece

1 played on his team. So he was a great guy. We saw him
2 all the time.

3 Q And prior to this date of January 28th had you
4 ever been in any kind of social setting out with the
5 defendant, Ms. Read, before?

6 A I had not been.

7 Q And do you recall approximately what time it
8 was that they came in and you were about to leave?

9 A I believe it was around 11:00 o'clock.

10 Q And at some point did they, and, by "they," I
11 mean Mr. O'Keefe and Ms. Read, did they make their way
12 over to where you were seated at the high-top?

13 A They did. So they walked in and John did his
14 rounds, you know, said hi to everybody, came, you know,
15 gave me hug. And, yeah, they headed towards us, yes.

16 Q And, when they came over to you, what, if
17 anything, happened then?

18 A John was really happy. He started talking
19 about [REDACTED] and how she had just gotten into Bishop
20 Feehan. He was just very excited. You could tell he
21 was super excited about that.

22 Q Now, as far as Mr. O'Keefe was concerned,
23 what, if anything, do you recall about what he was
24 wearing that night?

25 A I believe he was wearing a baseball hat,

1 jeans, sneakers, some kind of top.

2 Q And what, if anything, do you recall about
3 sort of a jacket or anything like that with him at any
4 time that you saw him that night?

5 A I don't remember a jacket. I remember like
6 some kind of light shirt, like a light hoodie-ish kind
7 of -- I don't remember a jacket.

8 Q And, as far as his clothing was concerned,
9 what, if anything, do you recall about the condition of
10 it? Were there any sort of tears or dishevel to --

11 A He looked fine. Nothing about his clothing
12 stood out to me.

13 Q Okay. Now, as far as what you observed as far
14 interactions between the defendant and Mr. O'Keefe that
15 night, anything out of the ordinary that you observed
16 while you were at the bar?

17 A Say that again?

18 Q Sure. As far as their interactions between
19 Mr. O'Keefe and the defendant, anything out of the
20 ordinary that you observed between the two of them that
21 evening at the bar?

22 A I saw nothing. I did not see anything.

23 Q And extending that sort of to the entire group
24 at the high-top table that you were with, anything that
25 you observed sort of out of the realm of the demeanor

1 that you've already described at any point in time in
2 the evening?

3 A No. Everybody was having a great time.

4 Q Now, with regard to sort of where you were
5 positioned at the high-top table in regard to
6 Mr. O'Keefe, was he closer to your end, or where was he
7 located, if you remember?

8 A I'm not sure. I don't know where he ended up
9 going. I know that Karen stayed with me. And then I'm
10 not sure where John went, but I know he was talking to
11 other guys probably.

12 Q So Mr. O'Keefe was moving around a bit,
13 talking to different people?

14 A Yes.

15 Q And Ms. Read was down towards where you were;
16 is that correct?

17 A That is correct.

18 Q And who, if anyone else, was sort of down your
19 end of the table? Who were you talking to when
20 Ms. Read came up?

21 A It was Jen McCabe --

22 Q So --

23 A -- the three of us.

24 Q So, when Ms. Read comes and joins, it's
25 essentially Ms. Read, the defendant, yourself, and

1 Ms. McCabe?

2 A That is correct.

3 Q And, when Ms. Read first comes up, what, if
4 any, conversation did she have with either yourself or
5 Ms. McCabe?

6 A She stated talking to Jen first and then they
7 had conversation and then we started talking.

8 Q And that first sort of initial conversation
9 between the defendant and Ms. McCabe, did you hear any
10 of that conversation?

11 A I did not. It was loud. I don't know what
12 they were talking about.

13 Q Now, as far as -- obviously, you're at a bar.
14 People are drinking. What, if anything, did you
15 observe Mr. O'Keefe to be drinking that night?

16 A I believe he was drinking beer.

17 Q And, as far as Ms. Read was concerned, what,
18 if anything, did you observe her to be drinking that
19 night?

20 A She was drinking something out of a clear
21 glass.

22 Q So a clear glass with a clear liquid in it?

23 A Correct.

24 Q Okay. Now, as far as through any conversation
25 that you had with either the defendant or Mr. O'Keefe,

1 did you have any understanding of sort of where they
2 came from prior to coming into the Waterfall?

3 A So they had come from across the street.

4 Q And what is across the street?

5 A From the bar. So it was C.F. McCarthy's.

6 Q And, so, as far as the conversation that you
7 -- at some point in time during the course of the
8 evening you had a conversation with Ms. Read; is that
9 correct?

10 A We talked for quite a while.

11 Q And during that time that you were talking for
12 quite a while, as far as was that strictly sort of the
13 two of you, or was Ms. McCabe involved in those
14 conversations as well?

15 A Ms. McCabe was involved with those
16 conversations.

17 Q Okay. So just to --

18 A It was the three of us.

19 Q The three of you were talking together?

20 A Uh-hmm.

21 Q Okay. And with respect -- with respect to the
22 defendant's relationship with Mr. O'Keefe, what, if
23 anything, did she say about that?

24 A So she started by saying how much she admired
25 him, how much -- like how much he did for the children,

1 just how she looked up to him for that. She started
2 with that. Well, she started talking about my kids
3 first and then she started talking about John.

4 Q So she spoke about your kids --

5 A About my daughter, yeah.

6 Q -- a little bit of a glowing fashion; is that
7 correct?

8 A She did. She always had a way of like saying
9 -- I don't know. She seemed to love my younger
10 daughter. And she said that she really liked her, my
11 daughter's relationship with John's niece. So she
12 first started with that conversation. And then she
13 went on talking about John and his relationship.

14 Q And then after she talked a little bit about
15 that, what, if anything else, did she talk about?

16 A So she started talking about how much he
17 sacrifices, how he like unconditionally puts all his
18 time and effort into the kids, how she admired him for
19 that, and how she also wished that some of the family
20 members would step up and help out a little bit more
21 because he took all the burden on himself.

22 Q And what, if anything else, did she say about
23 that in relation to sort of their relationship?

24 A Just that she wished they had a little bit
25 more time to, you know, go out, go on dates, go on

1 vacation. But she did mention that they had planned a
2 trip or something like that that she was excited about.

3 Q Now, about what time would you say it was that
4 you left from the Waterfall?

5 A I think everything started wrapping up around
6 midnight.

7 Q And prior to that what, if any, discussion did
8 you hear or were you a part of as far anybody talking
9 about where to go next?

10 A So I think everybody was having a really good
11 time. So there was conversation first of all where
12 could people go, and there was talk about maybe going
13 across the street to the pizza place.

14 Q And what pizza place is across the street?

15 A There's a pizza place called D&E Pizza. And
16 the owner happens to be there that night, so I think
17 someone brought it up or there was some conversation
18 amongst the group like, hey, let's go there and he said
19 no.

20 Q And what, if any -- what, if anything, did you
21 hear the defendant, Ms. Read, say in reference to going
22 to D&E?

23 A She just seemed like willing to go.

24 Q Was that something that she mentioned once or
25 more than once?

1 A I believe she mentioned it more than once, but
2 I don't remember like at this moment.

3 Q Is your memory exhausted as to that?

4 A Could you rephrase that?

5 Q Is your memory exhausted as to that particular
6 point?

7 A I believe it was more than once. Is that your
8 question?

9 Q That's my question.

10 A Yes.

11 Q Okay.

12 Now, other than that, what, if any other,
13 discussion was there as far as where people were
14 wanting to go or intending to go after the Waterfall?

15 A So after that was kind of, you know, put to
16 rest, then I think there was discussion about -- well,
17 Jen probably brought -- I think Jen McCabe brought up
18 let's go to my sister's house.

19 Q And is that somewhere that you or your
20 husband, to your knowledge, had ever been to before?

21 A We had never been to her house before, no.

22 Q And was that something that was sort of a
23 private invitation or was that sort of open to the
24 group at the table?

25 A I think it was said out loud, like, hey,

1 anybody wants to go, we can go to my sister's on
2 Fairview. I wasn't specifically invited myself. I
3 just think it was put out there.

4 Q And did either yourself or your husband take
5 anyone up on that invitation? Did you go to Fairview
6 after the Waterfall?

7 A We did not go. I actually said to him there's
8 no way we're going anywhere, we're going home.

9 Q And, just to be clear, by "him," you mean your
10 husband?

11 A My husband, yes.

12 Q And around the time of midnight or so when you
13 were leaving, who, if anyone, did you sort of walk out
14 with initially?

15 A So I believe -- let me think. It was --
16 again, it was always Jen, myself and Karen. So we got
17 up. And Karen went over to John, something like that.
18 He like put his arm around her. I don't know if they
19 had a conversation. They talked. It seemed like they
20 were like quite lovey-dovey at that point. And then
21 that's when Jennifer McCabe went up to Karen and said,
22 "You're coming with me." And she like grabbed her.
23 Like she put her arm around her and she said in front
24 of me, she's like, "You're coming with me. You're
25 coming with me."

1 Q And, just to be clear, like sort of how she
2 said that, was that in sort of a forceful way or --

3 A No. Like joking around. Like, hey, you know,
4 you come with me, we're going -- you know, Karen said
5 where we going, and Jen said it doesn't matter, it
6 will be a surprise. It was like something like that.

7 Q And did the three of you sort of walk towards
8 the door to the parking lot together?

9 A Yes.

10 Q And where was your husband at this point?

11 A He was behind. He was with Matt McCabe. They
12 were helping the band like clean up and get their stuff
13 together. It was the three of us in the front, meaning
14 the women.

15 Q And at the initial time when you're walking
16 out, you and Ms. McCabe and the defendant, where is
17 Mr. O'Keefe?

18 A A little bit behind us. I'm not sure.

19 Q So not directly with your group but --

20 A He was not with us, no.

21 Q Now, at some point you get outside of the
22 Waterfall; is that correct?

23 A That's correct.

24 Q And at some point when you're outside of the
25 Waterfall do you see Mr. O'Keefe at that point?

1 A I did. All of a sudden, it was weird, I see
2 Karen with John and I was like, oh, that's weird, I
3 thought she was going with Jen. And that's just what
4 made me notice it. It was the whole like Jen wanting
5 Karen to go with her and then all of a sudden I see
6 Karen with John. I just thought it -- you know, it was
7 just like oh. So it made me notice it.

8 Q And, so, you proceed to your car, I'm
9 presuming, on Washington Street; correct?

10 A That is correct.

11 Q And, if you recall, which direction was your
12 car facing? Like down towards the Waterfall or away
13 from the Waterfall?

14 A It was away from the Waterfall.

15 Q And who, if anyone else, did you observe
16 walking in the direction of Washington Street at the
17 same time as yourself?

18 A That's when I saw Karen and John walking.

19 Q And they were walking in that direction as
20 well?

21 A Correct.

22 Q And did you see them approach or get near to
23 some sort of vehicle?

24 A It looked like they got -- they were walking
25 towards a black SUV of some sort.

1 Q And had you seen either the defendant or
2 Mr. O'Keefe in relation to a dark or a black SUV prior
3 to that day?

4 A I believe I had, yes.

5 Q And whose car did you believe it was?

6 A I believed -- I thought it was Karen's car.

7 Q And which side of that vehicle did you observe
8 Karen walking towards?

9 A She was walking to the driver's side. But,
10 again, I was more concerned about crossing Washington
11 Street and there was a little bit of snow at that
12 point, so I didn't see -- like I saw them walking in
13 that direction, like her going to the driver's side and
14 John going to the other side, but I didn't see anything
15 after that.

16 Q Okay. And were they on the same side of the
17 street as you or the opposite side?

18 A They were facing the opposite direction.

19 Q So they were -- you were facing away from the
20 Waterfall, they were facing towards the Waterfall; is
21 that right?

22 A They were just -- like we were in different
23 directions. So I was -- it's hard to explain. But
24 they were facing -- like we were -- yes, I was facing
25 up and they were facing --

1 Q Okay. And different sides of the street; is
2 that correct?

3 A That is correct.

4 Q Okay. And then you got in your car and you
5 left; is that correct?

6 A That is correct.

7 Q And around that time that you left, I think
8 you alluded to it, but when you got to your car what
9 was the weather like at that point?

10 A It had just started snowing. You could see
11 the street still.

12 Q So you could still sort of see the blacktop
13 through whatever snow was on the ground?

14 A That is correct.

15 MR. LALLY: Your Honor, with the Court's
16 permission, I'd just like to publish what's been
17 marked as Exhibit 53, just a couple of portions on
18 the screen with this witness.

19 THE COURT: Okay.

20 MR. LALLY: And, Ms. Gilman, if I could, I'd
21 ask first for the second video from Channel 3. And
22 again if I could ask for approximately 10:59. And
23 if you could just pause it there.

24 (Whereupon, the video was played and paused.)

25 BY MR. LALLY:

1 Q So, Ms. Kolokithas, do you recognize what's up
2 on the screen?

3 A Yes.

4 Q And what do you recognize it to be?

5 A That's the Waterfall.

6 Q And is this a video that you've seen on a
7 prior occasion?

8 A Yes.

9 Q Now, before you, ma'am, there should be a
10 laser point. If there's any need for either myself or
11 another attorney, all I would ask you to do is just
12 sort of press that button it and direct it at the
13 screen.

14 A Okay.

15 Q Okay?

16 A Yup.

17 Q So, from this video, first of all, as far as
18 the people in the video, do you recognize anybody in
19 the video?

20 A It's really hard to see, but it's -- do you
21 want me to point?

22 Q If you recognize anyone, I would ask you to
23 draw the jury's attention to that person and explain
24 who that is.

25 A I'm sorry. That, I believe, is my husband,

1 maybe. I'm not sure.

2 THE COURT: If you don't know or it's hard to
3 tell or you don't know the people --

4 THE WITNESS: I'm not sure.

5 THE COURT: Okay.

6 THE WITNESS: It's hard to tell.

7 BY MR. LALLY:

8 Q Ms. Kolokithas, just from up on this video, do
9 you recognize sort of the table that you were at or
10 around on the evening of January 28th?

11 A Yes. The high-top, yes.

12 Q And if you could just direct the jury's
13 attention to, generally speaking, which side of the
14 table that you spent your time talking to Ms. McCabe
15 and the defendant?

16 A So, like, if we're pointing to here, I'd be on
17 that side, like the left side of the table, if you want
18 to call it the left side.

19 Q And the area where the band was, if you could?

20 A The band is here (Indicating). Like what I
21 meant the left, the front.

22 Q And, if you know, the front door area, sort of
23 where is that located?

24 A So it's like right there (Indicating).

25 MR. LALLY: And, Ms. Gilman, if you could just

1 run this video from 10:59 to 11:00 p.m.?

2 (Whereupon, the video was played.)

3 MR. LALLY: Thank you, Ms. Gilman.

4 Ms. Gilman, if you could take that down?

5 With the court's permission, I would ask for
6 from the same Channel 3 the sixth video.

7 And, Ms. Gilman, if I could direct you to
8 12:09 and 50 seconds? Thank you. If you could
9 just pause it right there.

10 (Whereupon, the video was played and paused.)

11 BY MR. LALLY:

12 Q Again, Ms. Kolokithas, you recognize what's up
13 on the screen as just later on in the evening at the
14 Waterfall; is that correct?

15 A That is correct, yes.

16 Q And is this towards the end of the evening?

17 A Yes, it is.

18 Q And fair to say that the lights have been
19 turned up so it's a little easier --

20 A So now I can recognize a few more people.

21 Q And, so, from what you can see up on the
22 screen now, if you could, using that laser pointer,
23 just direct the jury's attention to anybody that you
24 recognize.

25 A Okay. So that's me right there (Indicating)

1 and then my husband is right there (Indicating),
2 Nicholas. And I don't know if that's Matt, Jen. I
3 can't tell because of the barcode up there.

4 Q The date and timestamp?

5 A Yeah. I can't see who that is.

6 MR. LALLY: And, Ms. Gilman, if you could play
7 it from this point --

8 A Oh, I see John, too.

9 Q Oh, I'm sorry. Please go ahead.

10 A And I see John. John's right there
11 (Indicating).

12 Q Thank you.

13 MR. LALLY: Ms. Gilman, if you could play it
14 from this point till 12:11 and four seconds?
15 (Whereupon, the video was played.)

16 MR. LALLY: Ms. Gilman, if you could pause it
17 right there?

18 (Whereupon, the video was paused.)

19 BY MR. LALLY:

20 Q Now, as far as --

21 MR. LALLY: Just for the record, we're at
22 12:10:38.

23 Q -- do you see sort of three individuals going
24 towards the front entrance?

25 A --

1 Q You just have to say --

2 A Yes.

3 Q And with respect -- with that laser pointer,
4 if you could just identify for the jury who, if anyone,
5 you recognize from that group?

6 A Okay. So that's Jennifer McCabe, that's me,
7 and that's Karen (Indicating).

8 Q And, so, you're walking sort of towards the
9 exit at the same time; correct?

10 A Yes.

11 MR. LALLY: Ms. Gilman, if you could?
12 (Whereupon, the video was played.)

13 MR. LALLY: If you could pause that,
14 Ms. Gilman?

15 (Whereupon, the video was paused.)

16 BY MR. LALLY:

17 Q Now, there's another individual sort of making
18 their way to the doorway. Do you recognize that
19 person?

20 A Yes. That's John.

21 Q So that's John O'Keefe?

22 A John O'Keefe, yes.

23 Q Exiting from the Waterfall?

24 A Correct.

25 MR. LALLY: Ms. Gilman, if you could just play

1 the last few seconds?

2 (Whereupon, the video was played.)

3 MR. LALLY: Thank you.

4 Now, Ms. Gilman, if I could ask you from the
5 same exhibit but from Channel 1 and the third video
6 down on Channel 1, if I could ask you to fast
7 forward to about 12:11? And essentially what I'm
8 going to ask, Ms. Gilman, is if you could play this
9 from 12:11 and zero until 12:11 and 25 seconds.

10 I'm sorry. First if I could ask you just to pause
11 it for one second. I know it's an awful time to
12 pause it.

13 (Whereupon, the video was played and paused.)

14 BY MR. LALLY:

15 Q But before the flag moved in front of the
16 camera, do you recognize what's depicted up there?

17 A Can you repeat the question?

18 Q What's in this video generally, without what's
19 blocking the camera right now, do you recognize what's

20 --

21 A It's the exit.

22 Q Okay. So that's the exit to the Waterfall?

23 A Correct.

24 MR. LALLY: Ms. Gilman, if you could?

25 (Whereupon, the video was played.)

1 MR. LALLY: And if you could pause right
2 there?

3 (Whereupon, the video was paused.)

4 BY MR. LALLY:

5 Q The individual sort of down towards the bottom
6 of the frame, do you recognize who that is?

7 A It's Karen and John.

8 Q So that would be the point in time when you
9 say they sort of linked up at the front door and then
10 walked towards Washington Street?

11 A That's correct.

12 Q And, if you could, just with reference to the
13 screen that we're looking at here, Exhibit 53, where is
14 Washington Street where you had parked and where you
15 observed Mr. O'Keefe and Ms. Read walking to?

16 A So I'm trying to think of the buildings.
17 That's the back parking lot like where you see the
18 cars, and you have to take a left.

19 Q So directly in front of where Mr. O'Keefe and
20 Ms. Read are standing is the back parking lot and then
21 to the left is Washington Street?

22 A Yeah, I think you have to walk that way and
23 then you'll hit Washington Street.

24 MR. LALLY: Ms. Gilman, if you could play it
25 through to the 25 seconds?

(Whereupon, the video was played.)

MR. LALLY: If you could pause that?

(Whereupon, the video was paused.)

BY MR. LALLY:

Q Do you see an individual in the parking lot area?

A I do.

Q And do you recognize who that person is?

A I believe it's Jennifer.

Q By that you mean, I'm sorry, Ms. McCabe?

A Ms. McCabe.

MR. LALLY: And, Ms. Gilman, if you'd go to the last two seconds?

(Whereupon, the video was played.)

MR. LALLY: Thank you. Ms. Gilman, you can take that down, please.

May I have one moment, Your Honor?

THE COURT: Yes.

MR. LALLY: I have no further questions for this witness, Your Honor.

THE COURT: Okay. Cross-examination.

MR. JACKSON: Thank you, Your Honor.

CROSS-EXAMINATION

BY MR. JACKSON:

Q Hi, Ms. Kolokithas.

1 A Hello.

2 Q You and I have never met?

3 A We have not.

4 Q We've never had a conversation?

5 A Never.

6 Q We've certainly never interviewed together?

7 A Never.

8 Q So this is our first time speaking?

9 A Yes.

10 Q I want to direct your attention to part of
11 your testimony on direct examination with your
12 questioning by Mr. Lally. You indicated that before
13 Ms. Read and Mr. O'Keefe left the bar Ms. Read had been
14 making some statements about Mr. O'Keefe?

15 A Okay. Yes.

16 Q Is that right?

17 A Yes.

18 Q You indicated that she said that she admired
19 him?

20 A Yes.

21 Q That she looked up to Mr. O'Keefe?

22 A Yes.

23 Q She always had a way of complementing him?

24 A Yes.

25 Q That he took so much responsibility on as it

1 pertained to the children?

2 A Yes.

3 Q And that she did wish that they had more time
4 together?

5 A Yes.

6 Q They had planned a trip together?

7 A Yes.

8 Q And she was excited about that?

9 A Correct.

10 Q And she indicated that John was excited about
11 that as well?

12 A Yes.

13 Q Just before leaving the bar, you indicated
14 that Jennifer McCabe said to Ms. Read, "You're coming
15 with me"; correct?

16 A Yes.

17 Q She didn't say you and John come with me;
18 correct?

19 A No.

20 Q That was directed just to Ms. Read?

21 A Yes.

22 Q You're familiar with the town of Canton
23 generally?

24 A Yes.

25 Q You know that the distance between the

1 Waterfall Bar and 34 Fairview would be maybe a five,
2 six, seven minute drive?

3 A Probably would.

4 Q So just after these statements were made, if
5 they went to 34 Fairview, five minutes later, seven
6 minutes later they'd be sitting in front of 34
7 Fairview; correct?

8 A Correct.

9 MR. JACKSON: Thank you. That's all I have.

10 THE COURT: Okay. Anything?

11 MR. LALLY: Just very briefly.

12 REDIRECT EXAMINATION

13 BY MR. LALLY:

14 Q So, Ms. Kolokithas, with reference to your
15 relationship with John O'Keefe, as far as what you were
16 relaying was what the defendant had said to you at the
17 bar that night; correct?

18 A Correct.

19 Q Okay. And fair to say you didn't have any
20 conversation with Mr. O'Keefe with reference to
21 relationship or trips or anything like that?

22 A Not that night.

23 Q Okay. And, as far as your relationship with
24 Mr. O'Keefe, did you have any sort of discussions at
25 any point in time about sort of his relationship with

1 Ms. Read or anything going on in that relationship?

2 A He didn't tell me personal things, no.

3 Q You just didn't have that type of
4 relationship; correct?

5 A Correct.

6 Q And this time out on January 28th, that was
7 the first time that you had been out socially with the
8 defendant, Ms. Read; correct?

9 A Correct.

10 Q And, so, as far as what went on behind sort of
11 closed doors at their home or anything like that, you
12 didn't know anything about that?

13 A I did not know.

14 MR. LALLY: Nothing further.

15 MR. JACKSON: I have one question, Your Honor,
16 if I may?

17 THE COURT: Yes.

18 RECROSS-EXAMINATION

19 BY MR. JACKSON:

20 Q But what you did observe between the two of
21 them that night, to use your words, they were lovey-
22 dovey?

23 A They were.

24 MR. JACKSON: Thank you.

25 THE COURT: All right. Ms. Kolokithas, you

1 are all set.

2 THE WITNESS: Thank you. Thank you, Your
3 Honor.

4 (Whereupon, the witness is excused.)

5 THE COURT: So it's quarter of. Why don't I
6 see counsel for just a minute.

7 Jurors, feel free to stand up and stretch.
8 (Whereupon, there was a sidebar conference as
9 follows:)

10 THE COURT: So your next witness is?

11 MR. LALLY: Christopher Albert.

12 THE COURT: Okay. Do you want to start or do
13 you want to break?

14 MR. YANNETTI: It's up to Mr. Lally, but I
15 always like the extra preparation time.

16 THE COURT: It's been a long day for the
17 jurors. Okay.

18 MR. LALLY: I'm fine either way.

19 THE COURT: Do you have any objection?

20 MR. YANNETTI: No objection.

21 THE COURT: Okay.

22 MR. LALLY: That's fine.

23 (Whereupon, the sidebar conference concluded.)

24 THE COURT: All right. So, jurors, I'm told
25 that we covered a lot of ground today and it makes

1 sense to let you go a little early and we'll start
2 fresh tomorrow morning. Okay. So please do not
3 discuss this case with anyone. Don't do any
4 independent research or investigation into the
5 case. If you happen to see, hear or read anything
6 about the case, please disregard it and let us
7 know. So we'll see you tomorrow morning. Thank
8 you.

9 (Whereupon, the Court adjourns at 3:45 p.m.)

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C E R T I F I C A T E

I, Paula M. Mills, retired certified court reporter, do hereby certify that the foregoing pages, page 13-4 to 13-258, is a true and accurate transcription of the voice recording in the aforementioned matter to the best of my skill and ability.

This, the 10th day of February, 2025.

\s\ Paula M. Mills

Paula M. Mills

Retired Certified Court Reporter
and Court Transcriptionist

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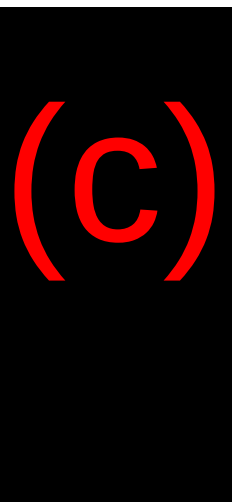
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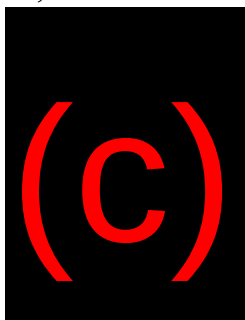
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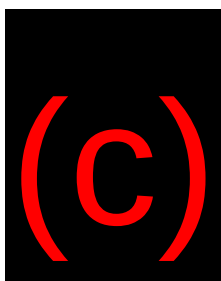
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